Review of the Year: International

1. THE PALESTINE PROBLEM

By Louis Shub

The special session on Palestine of the United Nations General Assembly ended on May 15, 1947. An eleven-nation committee of inquiry was established and empowered to submit proposals for the solution of the problem of Palestine in about ninety days.

This action by the United Nations was but the most recent step to break the stalemate existing between the three contending parties; the Jews, the Arabs and the British. Throughout the deliberations of the Assembly, beginning April 28, however, it was clear that the problem had not become any more susceptible of solution because fifty-five nations rather than one or two or three endeavored to solve it. The basic elements remained the same—pressure of the Jews of Europe toward their promised homeland, aspirations of the Jews of Palestine to self-rule, opposition of the Arabs in Palestine and surrounding states to any change that might give the Jews a population of greater influence in Palestine, and the network of Great Power interests in the Mediterranean Basin. Inability to reconcile these factors was the basis for the failure of the United States and Great Britain to solve the problem conjointly, and the failure of Britain's single-handed efforts somewhat later.

1 This article deals with the international political developments. For a summary of events within Palestine see the article by Lotta Levensohn, p. 444—ED.
PROPOSED SOLUTIONS

The new Special Committee set up by the Assembly had before it a dossier of plans that failed to achieve common agreement: the Morrison-Grady plan, commonly referred to as the Federalization plan; the Bevin proposal, known as the cantonization plan; and the Arab program for an Arab Palestine state. The dossier did not contain a plan by the Jewish Agency, for it had not officially participated in the ill-fated conferences of September 1946, or January 1947 (England having refused to place the Agency proposal for a Jewish state in an adequate area of Palestine on the agenda).

In addition to these previously known plans, the Special Committee was likely to consider proposals for a United Nations Trusteeship until Palestine could be adjudged ready for independence or continuance of British responsibility under the terms provided in the League Mandate or a United Nations Trusteeship. It was expected that the Committee would also consider the plan of the Anglo-American Committee of Inquiry. Although the British dossier did not contain any reference to this plan, it will undoubtedly receive considerable study by its multilateral successor, and it represents a convenient springboard from which to gain a perspective of the whole problem.

Anglo-American Committee of Inquiry Plan

In April 1946 the Anglo-American Committee recommended that Palestine be neither an Arab nor a Jewish state but a single state in which all sections of the community could participate. It is also recommended that Palestine be continued under mandate pending the execution of a trusteeship agreement under the United Nations.

On immigration, it recommended that 100,000 Jewish immigrants be authorized admission into Palestine immediately and thereafter in accordance with the mandate. It recommended further that the acquisition of land be permitted irrespective of race and that restrictions on transfer of land be rescinded.
The proposal of "perpetual trusteeship" provided an interlude for the realization of final goals and at the same time provided for the satisfaction of Jewish interests in regard to immigration and British interests, insofar as it retains the Mandate. The Arabs were to be compensated for concessions on Jewish immigration through large grants and subsidies to encourage social and economic development in Palestine and surrounding countries.

The Report's statement that "because it (Palestine) is a holy land, Palestine is not and can never become a land which any race or religion can justly claim as its very own" was given significance by the instruction to the U. N. Special Committee to "give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity."

**Developments Leading to Morrison Plan**

The Anglo-American Inquiry Committee Report's immediate objective, the prompt admission of 100,000 Jews into Palestine, was endorsed by President Truman. His desire for immediate implementation was, however, nullified by Prime Minister Attlee's insistence that the recommendations be accepted as a whole, that the United States furnish military and financial assistance for the implementation of the recommendations, and that the illegal Jewish armies disband and surrender their arms.

A diplomatic tug-of-war ensued not only between the President of the United States and the British authorities but also between President Truman and the State Department. In the latter connection, it became necessary for the State Department to declare "that it must be clear that the President's statements are controlling upon all the departments of government." The President's persistence in his immigration stand culminated in the establishment on July 11, 1946 of a Cabinet Committee on Palestine and Related Problems, consisting of the Secretaries of State, War and Treasury. Following preliminary deliberations, a committee of alternates under Henry Grady went to England to explore the problem further with a similar group appointed by the British cabinet.
Anglo-American Cabinet Committee Plan

Following three weeks of deliberation, the Anglo-American Cabinet Committee on July 26, 1946 recommended a federalization scheme for the consideration of their respective governments.

It was proposed that the two governments should seek to create conditions favorable to the resettlement of a substantial number of displaced persons in Europe itself. Recognizing that there would still be a movement to find new homes outside Europe, the committee urged establishment of an International Refugee Organization designed to deal effectively with the problem of refugees and displaced persons as a whole. Finally, the committee recommended making an appeal to all members of the United Nations to receive in territories under their control a portion of Europe's displaced persons, including Jews.

Accepting the principle that Palestine, as a whole, can be neither a Jewish nor an Arab state, the plan calls for the federalization of Palestine into Jewish, Arab and Central Government provinces. Very strong powers would be vested in the Central (British) Government and very little autonomy would exist in the Jewish and Arab provinces. The Jewish province would comprise the Plains of Sharon and Esdraelon and part of Galilee, with a total area of about 1,500 square miles. The remainder of the country, with the exception of the districts of Jerusalem, Bethlehem and the Negeb, would constitute the Arab zone. The admission of 100,000 European Jews would take place within twelve months after acceptance of the constitutional proposals arising from discussion of the plan.

The distribution of the population would be about 451,000 Jews in the Jewish zone, 15,000 in the Arab zone and 100,000 in Jerusalem and Bethlehem. The Jewish zone would have a minority of 301,000 Arabs; 815,000 Arabs would be in the Arab zone and about 90,000 in Jerusalem and Bethlehem. Large sums of money would have to be made available to both Jews and Arabs. Most of the money for Jewish purposes would have to be raised among Jews themselves; about
$300,000,000 would be provided the Arabs of Palestine and the rest of the Middle East by the United States. Immigration "to the extent to which the absorptive capacity of the country will not thereby be exceeded" was to be controlled by the Central Government.

That Great Britain's desire to effect an agreement among Jews and Arabs and present a *fait accompli* to the General Assembly would be thwarted became evident with the initial reaction of the Jewish Agency and the Arabs.

The Jewish Agency rejected the plan because it failed to offer independence to either Arabs or Jews and meant that self-government would be illusory.

General dissatisfaction with the plan was expressed by other Jewish bodies on the following grounds: the area allotted for Jewish immigration was too small as was the amount of self-government offered to the Jews and Arabs; there were no provisions for adequate and early participation by Jews and Arabs in responsible posts in the Central Government. The insistence by Great Britain that no Jewish immigration into Palestine would be possible unless the provisional autonomy plan were accepted in toto was roundly condemned.

The Arab office of Jerusalem condemned the plan as "similar to the Partition scheme in 1937" which the Arabs resisted and recorded their determination to reject any form of partition as stronger than ever. The Arab office added that it rejected the idea of Jewish-owned land in an Arab territory and opposed the establishment of a Jewish state, even a small Jewish settlement.

*September London Conference*

Despite rejection of the plan by the two groups most directly affected in Palestine—the Jewish Agency and the Arab Higher Committee—Great Britain invited representatives of the seven Arab states and the Arab League to a conference in London to begin on September 9, 1946.

Meeting in Paris in August, the Jewish Agency refused to attend the London Conference. On August 10, in a letter to the British Colonial Secretary, George H. Hall, Chaim
Weizmann pointed out that the Agency refused to accept the Morrison plan as a basis for negotiation, but was prepared to participate in the Conference if establishment of a Jewish state in an "adequate area" of Palestine was to be the purpose of the discussion. In addition, the Agency demanded full freedom to designate its own Conference delegates, including those detained or subject to detention.

The reference to "the establishment of a Jewish State in an adequate area of Palestine" made by Dr. Weizmann in his letter to the Colonial Secretary, signalled the reappearance of partition as a proposed solution. Not only was Great Britain presented with this proposal but so was the United States, for Nahum Goldmann was sent to Washington by the Jewish Agency to present the Agency's proposal. This plan had been agreed on by the Agency in Paris in August because it had been felt that the British Government would agree to the early admission of 100,000 Jews only if this step were coupled with the solution of the Palestine problem as a whole.

The Jewish Agency's position has since become a basic issue of conflict among Zionists, many of whom felt that the bargaining position of the Jewish Agency was weakened when it took the initiative in offering partition instead of awaiting such an offer from the British.

With respect to the Agency plan, Judge Joseph M. Proskauer, on behalf of the American Jewish Committee, stated that the plan is "a reasonable base on which to build discussion." He remarked further that "insofar as its salient features have been announced, it stresses as its main objective the creation of a governmental unit into which Jews may immigrate as of right. All agree that this immigration is the true, main and immediate objective. This immigration is vital to the saving of human life."

The Arabs rejected the Morrison plan and instead proposed a unitary state which would preclude "the cutting off of Palestine to make a home for immigrants of a different nationality." Under the proposal, an independent Arab state was to come into being by the end of 1948, following an interim government that would be subject to the veto power of a British High Commissioner.
Expressing a desire to study these Arab proposals more fully, the British Government postponed the scheduled September conference to December 15 and then to January 14, 1947. This adjournment was viewed with great misgiving by President Truman. In a letter of October 4, he outlined the activities of the United States with regard to Palestine from the day of Earl Harrison’s report. In reiterating his interest in the earliest possible admission to Palestine of 100,000 Jewish refugees, the President expressed the belief that a solution along the lines of the Agency plan proposing “a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine instead of in the whole of Palestine” would command the support of public opinion in the United States.

Second London Conference

The intervening months between the unsuccessful September conference and the conference called for late January, were replete with frustration for Jewish hopes, grumbling by the Arabs, and growing resentment by the British which was reflected in anti-Jewish statements by Ernest Bevin.

At the conference the Arabs were insistent on the plan they had offered previously and refused to accept any compromise. Though outside the conference, the Jewish Agency continued to press at informal meetings for the procedural point of having Britain place on the agenda the principle of a Jewish state in an adequate area of Palestine.

The Bevin Plan was submitted to the conference on February 7, 1947 and was communicated to representatives of the Jewish Agency. The plan provided for creation of two semi-autonomous states, Arab and Jewish, subject to the over-all authority of the British Government. No boundaries were to be set for the two states. The areas included in either state did not have to be contiguous but were to be determined by a majority of the population in a particular district. The immigration of Jews to Palestine, now limited to 1,500 a month, was to be increased at a rate of 4,000 monthly, for two years.
The plan was to run for five years, but after two years the High Commissioner, a British official to whom questions relating to such matters as international relations and defense were to be referred, could decide whether the rate of immigration of Jews was more than the "absorptive capacity" of the area and reduce it if necessary. "Local councils in the various communities within the Arab and Jewish areas would have sole contact with the outside bodies." If, after the five-year trial, the plan was not a success, the entire problem of Palestine would be referred to the Trusteeship Council of the United Nations.

Both the Arabs and the Jewish Agency issued categorical rejections; the former, on the basis of unqualified opposition to any further Jewish immigration and their demand for the immediate establishment of an Arab state; the latter, on the ground that the Bevin plan provided even less than the Morrison plan in regard to immigration and that the Palestinian state to be established after five years would still contain a large Arab majority and would in reality guarantee an Arab state.

PALESTINE PROBLEM AND THE UNITED NATIONS

Owing to the complete failure of the two conferences, on February 17, 1947, Mr. Bevin told the House of Commons that the Palestine problem was to be submitted to the United Nations. On February 20, the British government, in line with its intention not to propose any specific recommendation of its own, issued a White Paper, which contained the Arab, Morrison and Bevin plans together with other documents, and presented it to the United Nations for consideration.

Bevin's Proposal

In a speech on February 21, 1947, Bevin delineated what, in his opinion, the political structure of Palestine should be. Declaring that the very issuance of the White Paper portended England's belief that it had fulfilled the commitments of the Balfour Declaration and the Mandate, Secretary Bevin contended that the Jewish claim to Palestine was based purely on
humanitarian grounds. He was, therefore, prepared to relax the provisions of the White Paper to the extent of admitting 100,000 Jews into Palestine at the present rate of 1500 monthly. Beyond that, Jewish immigration into Palestine was to be decided by the elected representatives of Palestine. This, in effect, meant that Jewish immigration was to be dependent upon Arab consent and was essentially a proposal to create a permanent Jewish minority in Palestine. This was admitted by Bevin when he stated, "I cannot alter the balance of people in a state."

That Bevin was proposing an Arab state was likewise indicated by citing Arab proposals as reasonable and difficult of answer. Although Bevin mentioned that the Anglo-American Committee of Inquiry did not recommend a Jewish state, he failed to note that neither did the Committee recommend an Arab state.

In addition, Bevin charged President Truman with sabotaging a possible settlement of the Palestine problem for campaign purposes. President Truman was accused of undermining the chances of a truce with the Zionists by issuing a statement on October 4, 1946, which demanded the admission of 100,000 Jews into Palestine.

The White House publicly rebuked Bevin for his suggestion. An unprecedented statement issued February 26, 1947 pointed out that President Truman’s pronouncement of October 4, 1946 was merely a reaffirmation of the United States Government’s attitude toward Palestine since August 31, 1945, when the President addressed a communication to Prime Minister Attlee on the subject of admitting 100,000 Jews into Palestine.

On February 26 the Jewish Agency issued a statement attacking Mr. Bevin’s address as misleading on the grounds that he was presenting his proposal of a unitary state in Palestine as a compromise between Arab and Jewish demands whereas actually a unitary state would have an Arab majority and would, therefore, be an Arab state.

At its meeting in Cairo in March the Arab League indicated that it would argue the case before the United Nations on the basis of complete independence for Palestine as an Arab state, and repeated its demand for the complete cessation of immi-
The League also declared that if an interim trustee were proposed, it would invoke Article 73 of the United Nations Charter which states that the interests of the inhabitants of trust territories are paramount. This, according to the Arabs, would rule out provisions for admission of European Jewish refugees who are non-inhabitants.

The Arabs have for some time contended that under Article 79, they alone are the "states directly concerned" and are entitled to settle with Great Britain the terms of the trusteeship. This thesis would exclude the United States and the Jewish Agency as well. The Soviet Union has expressed itself quite strongly on the issue of "states directly concerned." N. V. Novikov, Soviet representative on the Trusteeship Committee, declared that the attempt by Great Britain to solve the question of Palestine through direct negotiations with Jewish and Arab representatives constituted a violation of Article 79. Thus, it was anticipated that Russia would oppose any attempt of the Arabs to declare themselves the only "states directly concerned."

Considerable confusion followed Bevin's proposal to submit the Palestine question to the United Nations. The seven months' delay involved in placing the issue before the General Assembly, which was scheduled not to meet until September, was greatly deplored. In seeking to expedite an early study of the problem by a responsible body, the Secretary-General of the United Nations, Trygve Lie, proposed that a fact-finding body be set up by a special committee of fifty-five members to study the Palestine question. This body would report to the political committee which in turn would report to the General Assembly. At first, however, nothing developed, because the United States insisted that Great Britain should officially sponsor the proposal for a special Palestine investigating committee and also formulate concrete suggestions for United Nations procedure.

Despite Great Britain's repeated insistence that it could not give the United Nations carte blanche in the Palestine question, on April 2 it submitted a formal request for a special session of the General Assembly. The British note contained a double request; first, that the question of Palestine be put
on the agenda of the regular Assembly session in September; second, that a special session be called to set up and instruct a committee to gather information for the regular meeting. It also disclosed that the British Government would submit to the September session an account of its administration of the League of Nations Mandate covering the Holy Land.

The majority necessary for calling the special session was obtained by April 11 and the following day, Trygve Lie cabled notice of the session. His cable prescribed that the session be limited to appointing a fact-finding committee to investigate conditions in Palestine and report to the nations at the regular Assembly meeting in September.

The Arab League immediately challenged the cable’s intent, when it intimated on April 19 that it would ask the United Nations for an immediate decision on Palestine. Faris-Bey El Ghoury of Syria, spokesman for the League, stated that the Arabs would fight the appointment of a commission of inquiry and would ask for the immediate creation of an independent state in Palestine. This was in complete contradiction to the intention of the American and British delegations which hoped to confine the discussion to the appointment of a board of inquiry.

The Jewish Agency appealed to the United Nations to recommend that, pending a decision on a long-term solution to the Palestine problem, Great Britain re-open the Holy Land to immediate Jewish immigration and during the interim period outlaw “existing measures of racial discrimination that restrict the sale of land to Jews in 94 per cent of the country.”

The Agency also noted that both the Arab world and Great Britain were formally represented in the United Nations and that the Jewish people, without such representation, were approaching the special session of the Assembly under a great disadvantage.

**Deliberations of Special Session**

The first session on April 28 was devoted to organizational matters and the election of Dr. Oswald Aranha as Assembly President. The word “Palestine” was mentioned only once.
The delegates then turned to the procedural matter before them. From April 29 on there was debate in committee and plenary session. The debate turned on two questions. The first was "What is the function of the Special Assembly?" The second was, "Should the Zionists be represented during the discussions?"

The Arab states—Egypt, Syria, Lebanon, Iraq, Saudi Arabia—demanded that the Assembly debate the whole Palestine problem and vote on the termination of the British mandate. They disapproved Zionist representation.

The United States and Britain opposed the Arabs. They favored limiting the Assembly to the simple act of setting up a United Nations Inquiry Commission to investigate Palestine, postponing all basic debate and action until the regular session of the Assembly. They came out for Zionist representation in committee meetings but not in the full Assembly.

Russia lined up with the Arabs on one issue, opposed them on the other. The Soviet delegate favored a full dress debate on Palestine "but not necessarily a decision." On the other hand, Russia urged that the Zionists be heard by the General Assembly rather than by the committee.

The voice of the Jews was not heard in the United Nations deliberations. But outside the United Nations meetings strenuous efforts were made to win a hearing for their position. The Zionists brought pressure on the State Department to gain support for their plea. They argued, and the United States supported them to a degree, that the Jewish Agency for Palestine which is recognized as a semi-official organ under the mandate should present the Jewish case.

In the course of the first week's debate the Assembly approved the Anglo-American position on the question of setting the Agenda. After acrimonious debate the first two days, the General Committee voted 8 to 1 to confine the agenda to establishment of the Inquiry Commission. Five nations, including Russia, abstained from voting. The Arab delegates took their fight to the floor of the General Assembly. Again they were defeated 24 to 10.

The second issue—Zionist participation—was debated in-
conclusively in the first week in the General Committee and was finally taken to the Political and Security Committee.

The question of Jewish representation was further complicated by the fact that other groups besides the Jewish Agency sought accreditation. However, on May 3, the full Assembly directed the Political and Security Committee to hear the Jewish Agency and to consider a request for a hearing by the Arab Higher Committee, a self-constituted political body for the Palestine Arabs organized in 1936 to represent parties then active in Palestine. Its organizer and first chairman was the Grand Mufti of Jerusalem, Haj Amin El Husseini, exiled from Palestine early in the war because of his pro-Nazi sympathies.

The five Arab League States in the United Nations took umbrage and threatened to boycott the sessions unless the Assembly met again to retract this action. The Assembly acceded to the request in an emergency meeting. The Political and Security Committee adjourned; reconstituted itself as a plenary session; directed the committee by a vote of 39-1 to hear the Arab Higher Committee, thus satisfying the delegates and setting the stage for the Arab-Jewish debate which was to be confined to advice on the nature and scope of the Inquiry Committee.

The principal spokesman for the Jewish Agency before the First Committee of the General Assembly on May 8 was Abba Hillel Silver, Chairman of the Agency’s American section. The spokesman for the Arab Higher Committee was Henry Cattan, a Jerusalem lawyer. These were the major points they made:

Dr. Silver: These international commitments... cannot now be erased.... The Jewish people... (rely) upon the honor and pledged word of the world community.

Mr. Cattan: The Balfour Declaration was made without the consent... of the people most directly affected.... Various pledges (were)given to the Arabs before and after the Balfour Declaration with regard to the recognition of their (sovereignty).

Dr. Silver: The national home is still in the making; it has not yet been fully established.... The opportunity (for its development) must now be fully restored.
Mr. Cattan: It is high time that Palestine’s right to independence be recognized. . . . It is high time also that a policy (the mandate) which has been impairing the ethnological and political structure of the country be brought to an end.

Dr. Silver: The Mandatory Government . . . assumed as its prime obligation to facilitate Jewish immigration into (Palestine).

Mr. Cattan: Immigration initiated under the mandate is threatening the very existence of the Arab nations.

Dr. Silver: There is a desperate urgency about this tragic human problem, my friends, which brooks no delay. An immediate relaxation of the restrictive measures on immigration . . . will be a boon to these suffering humans.

Mr. Cattan: The linking of the refugee problem with Palestine has made and would continue to make the solution of both problems infinitely more difficult. . . . The Mandatory (must) take immediate steps for the complete stoppage of all Jewish immigration into Palestine.

These arguments make it clear that a crucial issue is the admission of Jews into Palestine. Arab insistence on immediate independence would mean the creation of a state in which the Jews would be a minority and thus unable to affect immigration. By the same token, the halting of immigration would eliminate the possibility of a Jewish state in all of Palestine.

The Issue of Independence

After several days of Arab-Jewish debate, during which the Arab spokesmen appealed to racial and religious prejudice, the United Nations turned to a discussion of the scope and composition of the Inquiry Commission. Led by Herschel V. Johnson, the United States campaigned for giving the broadest instruction to the projected inquiry and objected to a Soviet proposal which it felt might morally prejudice the investigation to recommend immediate independence.

Andrei Gromyko, Soviet delegate, held it to be "desirable" that the inquiry frame an immediate proposal for independence, or at least several alternative recommendations.
Gromyko proposed an amendment “including a proposal on the question of establishing without delay the independent state of Palestine.”

Several smaller nations argued that they wanted to study all the facts before they made any kind of advance commitment. They felt, however, that the generalized instruction might consider ultimate independence for Palestine for in the debates every nation had endorsed the goal of independence, a point specified in the League of Nations mandate.

**Issue of Representation and Big Five**

Another issue battled over was representation in the United Nations Committee of Inquiry. The debate centered around the desire of the United States to keep the members of the Big Five from obtaining any position on the Inquiry Committee. The United States sought a seven-member neutral committee, with broad terms of reference allowing the investigators to go anywhere and make any decision.

Arguing for Big Five participation, Andrei Gromyko stated that Russia had no material interest in the Palestine problem and that the Soviet Jewish population as far as he knew did not have much interest in immigration to Palestine. He added that Russia was ready to participate not only in the United Nations decision in Palestine but also in the assembling of facts in the case.

In reply, Warren Austin, head of the United States delegation, stated that, “Our fear is that opposing views and debate among the permanent members (the Big Five) if they were on the special committee, over details would cause delay by the intrusion of other interests which are perfectly obvious here. Everybody knows about them. They are constantly arising on every detail.”

It was clear that he was referring, among other problems, to the clash of Big Three political interests in the Near and Middle East; the special interests of Britain as the mandate power administering Palestine; the United States’ programs of aid for Greece and Turkey; Russia’s desire for warm water
ports; vital oil interests and competition for the favors of the Arab peoples.

On the question of the role of the Big Five, Sir Alexander Cadogan stated:

My Government are in rather a peculiar position. They would find themselves, if they were members of that committee, at times in the witness stand, and then after that, a moment or two later, would resume their seats with the jury. It is a principle, of course, that we have always—and I think everybody has—upheld, that no man should be judge in his own cause, and I think, we should be put in a somewhat embarrassing and difficult position.

In the final vote, on May 13, the Assembly approved the Australian proposal that eleven nations, excluding the Big Five, constitute the Committee of Inquiry. The vote was 46 to 7 with Arab States, Turkey and Afghanistan in opposition. Following are the terms of the inquiry:

Whereas the General Assembly of the United Nations has been called into special session for the purpose of constituting and instructing a special committee to prepare, for the consideration at the next regular session of the Assembly, a report on the question of Palestine,

The General Assembly resolves that:

(1) A Special Committee be created for the above-mentioned purpose consisting of the representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia.

(2) The Special Committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine.

(3) The Special Committee shall determine its own procedure.

(4) The Special Committee shall conduct investigations in Palestine, and wherever it may deem useful, receive and examine written or oral testimony, whichever it may consider appropriate in each case, from the mandatory power, from representatives of the population of Palestine, from governments and from such organizations and individuals as it may deem necessary.
(5) The Special Committee shall give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity.

(6) The Special Committee shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine.

(7) The Special Committee’s report shall be communicated to the Secretary-General not later than 1 September, 1947, in order that it may be circulated to the members of the United Nations in time for consideration by the second regular session of the General Assembly . . . .

Observers felt that the membership of the eleven-nation Special Committee was a fairly balanced group. India and Iran were regarded as definite supporters of the Arabs. In Assembly and committee debate, Asaf Ali, representative of India, had been one of the most frequent speakers for the Arab case. Iran had voted consistently for the Arab viewpoint, but Nastollah Entezam, delegate from Teheran, was reported to have declared that his government would give its delegate on the Inquiry Committee a completely free hand. It also was felt that with its large number of Arab inhabitants, Peru might lean in the Arab direction.

Canada and Australia were regarded as naturally predisposed toward Great Britain. Sweden, Uruguay and the Netherlands did not indicate that they favored any party and were viewed as neutral.

Guatemala was reportedly among the pro-Zionist. It had consistently been friendly and had argued for a Jewish Agency voice in the debates of the political committee. Czechoslovakia and Yugoslavia, the latter with a large Moslem population, showed pro-Zionist attitudes. In both cases, however, it was felt that their positions would be influenced by the stand of the Soviet Union.

What Russia’s ultimate position would be was uncertain after the adjournment of the Assembly. However, the views expressed by Andrei Gromyko the next to the last day of the Assembly’s session came as a surprise to most observers.
Russian Stand on Palestine

Andrei Gromyko, whose speech on May 14 was unwelcome to the Arabs but highly pleasing to Jewish representatives, opened his talk by defining the Palestine problem as “an acute political problem” which the United Nations had the responsibility to solve. He continued

The fact that not a single Western European state has been in a position to guarantee the defense of the elementary rights of the Jewish people or compensate them for the violence they have suffered at the hands of the Fascist hangmen explains the aspiration of the Jews for the creation of a state of their own. It would be unjust not to take this into account and to deny the right of the Jewish people to the realization of such an aspiration . . . . We must bear in mind the incontestable fact that the population of Palestine consists of two peoples, Arabs and Jews. Each of these has its historical roots in Palestine . . . . Neither history nor the conditions which have arisen in Palestine now can justify any unilateral solution of the Palestine problem, either in favor of the creation of an independent Arab state, ignoring the lawful rights of the Jewish people, or in favor of the creation of an independent Jewish state, ignoring the lawful rights of the Arab population. A just settlement can be found only if account is taken in sufficient degree of the lawful interests of both peoples. These considerations are the basis upon which the Soviet Union delegation concludes that the lawful interests both of the Jewish and of the Arab peoples of Palestine can be defended in a proper manner only by the creation of one dual, democratic Arab-Jewish state.

Such a state should be founded upon equal rights for the Jewish and Arab populations which might constitute a foundation for cooperation between these two peoples in their common interest to the advantage of them both. Is it not clear that in solving the question of Palestine it would be very useful to take into account the experience gained through such friendly co-existence and friendly community of life between different nationalities within the framework of a single state? The settlement of the problem of Palestine by the creation of a single Arab-Jewish
state with equal rights for Jews and Arabs might in this way be considered as one of the possible solutions, and as the solution most deserving attention, of this complicated problem.

Such a solution of the question concerning the future of Palestine might provide a sound basis for the peaceful coexistence and cooperation of the Arab and Jewish populations of Palestine, in the interests of both these peoples, for the good of the whole population of the country, and for the peace and security of the Near East.

If it were found that this plan was unrealizable on account of the deterioration of relations between Jews and Arabs, and it is highly important that we have the opinion of the committee on this question, then it would be necessary to consider an alternative solution which, like the first, has its advocates in Palestine and which consists of the division of Palestine into two independent separate states—one, Jewish, and one, Arab.

These statements indicate a reversal of the traditional Soviet position on Palestine. Recognition of Jewish rights in Palestine was a change from the attitude that Zionism is a tool of British imperialism. The proposal to consider partition lined up Russia with a similar proposal made in October by President Truman to Prime Minister Attlee. Moreover, this advocacy of partition, which is anathema to the Arabs, could help dispel the concern of the United States and Great Britain that their espousal of partition might drive the oil-rich Arab countries into the Russian orbit.

This new position was startling not only to the Zionists but to the Communist parties as well. During the war, the Communists had endorsed the Balfour Declaration in line with the vote taken by the delegation of the Soviet Trade Union at the World Trade Union Conference in London, in February 1945. Here the declaration was made that "the Jewish people must be enabled to continue the rebuilding of Palestine as their National Home."

However, a change was noted when an article, "Middle East Powder Keg," by K. Serezhin appeared in the February 1, 1946 issue of *New Times*, a Moscow magazine. Serezhin
attacked British sponsorship of the Arab League and the latter's general subordination to British imperial interests. With respect to Palestine, the author wrote: "In contradiction to the majority of the Arab states which have already been granted formal independence, Palestine is still mandated to Great Britain." Not only was this statement a first intimation that Russia regarded Palestine as an Arab state but the author went on to censure the Arab League for its failure to act with sufficient speed in the attempt to create a Palestine state.

The view of Palestine as Arab in character was the basis of Serezhin's position on Jewish immigration to Palestine: "The publication of President's Truman's message containing the proposal to transfer 100,000 Jews from Europe to Palestine and the subsequent British-American negotiations on this subject have added to the complexity of the Palestine problem." The cornerstone of the new Soviet position followed by the Communist parties was that Jewish immigration to Palestine must be dependent upon Arab consent.

The British Communist Party in its memorandum to the Anglo-American Committee of Inquiry demanded immediate independence for Palestine, which meant in essence an Arab state condemning the Jews to a permanent minority.

**Difficulties Facing the UNSCOP**

On May 26, 1947 the Special Committee of Inquiry into Palestine began its preparations to study the challenging problem of Palestine in what Trygve Lie hoped would be a spirit "impartial but not detached, objective but deeply comprehensive." Eleven members of the committee and their alternates, representatives of eleven sovereign nations, were expected to doff the mantle of national interest during their deliberations. The election of the Swedish representative, Emil Sandstroem, was an auspicious beginning, for it ostensibly transcended the obstacles that were implicit in choosing a chairman from nations already predisposed to a given solution. Potential eastern and western alignments already existed with Yugoslavia and Czechoslovakia and Australia and Canada, respectively. A third partisan grouping con-
sisted of the two Moslem nations, India and Iran, whose pro-Arab leanings were barely concealed. Thus only five of the eleven were left more or less unattached, though no such truly political vacuum exists.

Attendant difficulties in addition to the above intrinsic obstacles confronted the Committee because of the aggravated internal situation in Palestine as reflected in the following:

1) England’s continued deportation of Jewish immigrants arriving in Palestine over and above the established British quota of 1,500, culminating in the deportation of the 4,500 Jews aboard the *Exodus*, and her request on May 23 that UN members “prevent the transit to their territory and the departure from their ports, of Jews attempting to enter Palestine illegally.”

2) the continued struggle of the Irgun against the British administration that was climaxed with the execution of the three Irgunists, provoking further outbreaks and adding to an already charged atmosphere.

3) the avowed and subsequently fulfilled intentions of the Palestine Arab Higher Committee to boycott the hearings because it was of the opinion that “inquiry into the Palestine problem has already reached the point of saturation.” Jamal El Husseini, vice-president of the Arab Committee, contended that Arab refusal to cooperate stemmed from the following reasons:

a) termination of the British Mandate and independence for Palestine were not in the terms of reference.

b) the Inquiry Committee was empowered to include the problem of the Jewish displaced persons in Europe.

c) the interest of the inhabitants of Palestine had been by-passed by the Assembly resolution which spoke of the world religious interest in the Holy Land. The interests of the three great religions were characterized as a prelude to further foreign interference leading to the set-up of a trusteeship.

*Jewish Testimony Before the UNSCOP*

While the Palestine Arabs prepared to boycott the Inquiry Committee the Jewish Agency prepared to present its case. Considerable confusion prevailed in Zionist circles because Ben-Gurion, chairman of the Jewish Agency Executive, upon
returning to Jerusalem, expressed the following opinion on May 21: “We must not ignore realities. The United Nations will not acquiesce in turning the whole of Palestine into a Jewish state now, and there will perhaps be a need to leave a part of the country under the mandate and a second part—where the Jews are settled as well as the barren area—become a Jewish state.” He noted that a Jewish state in all of Palestine would always be the main objective of Zionism, but was unattainable at this time.

Thus there flared anew the latent struggle between the overt advocates of partition in the Jewish Agency, and those who would conceivably accept partition only if it is presented by a third party, if at all. These “unofficial” views were not repeated so unreservedly in later testimony before the Commission because of a desire to prevent an open rift in the Agency which was technically bound to abide by the decision taken by the World Zionist Congress last December, which asked for a state without specifying its extent. Thus when testifying on July 7 before the Special Committee, Ben-Gurion stated that the Jewish Agency demands that the United Nations confirm the Zionist claim to all Palestine as a Jewish state, and that if it approve the Jewish Agency’s plan for the immigration of one million Jews and the development of the country to accommodate them and to raise the Arab standard of life. In the interim Ben-Gurion proposed that the United Nations should supervise and to a certain extent administer the country. He failed to indicate however, how UN supervision would differ from UN trusteeship, which he expressly opposed.

Although Ben-Gurion advanced the maximalist claim to Palestine he by-passed these claims when, in answer to whether or not he would consider a compromise, he replied as follows: “In London we told the British government that we were ready to consider a viable Jewish state in an adequate area of Palestine. We will stand by that attitude of last year.” When asked to state the Agency’s position on Weizmann’s proposed solution of partition, Ben-Gurion remarked “that partition in an adequate area of Palestine was acceptable as a basis for discussion.”
The coalition decision of the World Zionist Congress to avoid a stand on partition was further circumvented by the appearance as a witness of D. Remez, chairman of the Vaad Leumi of Palestine. He stated that the Vaad Leumi associated itself with the Jewish Agency's political program but was also ready to negotiate for the establishment of a Jewish state in a viable adequate area of Palestine as a compromise.

Fearing that partition through innuendo would not be sufficient, the pro-partitionists maneuvered an invitation for Dr. Weizmann who was not bound by any official formulae. Dr. Weizmann openly espoused partition and as to the extent of the state observed that a partitioned Jewish state must be big enough to absorb 1,500,000 people within a reasonable time. Such a state could be achieved if to a somewhat improved Peel line was added the Southern Palestinian desert, usually called the Negev.

Dr. Weizmann favored partition over both the Morrison and Bevin federal plans. He declared that they would exclude Jewish settlement from the greater part of the mandatory area without even assuring the Jews complete freedom in the small area remaining. Moreover, the Arabs would be free to exclude Jews from their large province while the Jews would not be free to admit immigrants to their minute province. The Jewish areas in both schemes are so inadequate that even sovereignty would not make them acceptable. The lack of finality in both plans also troubled Dr. Weizmann. Since federalism, he declared, does not offer complete independence, both Jews and Arabs would still be dependent on a third party, whether British or international. A further grave disability would be that federalism does not offer the Jews a place in the United Nations. Partition implies a political separation and leaves economic cooperation to a process of evolution. It is perfectly feasible to reconcile separate sovereignty with unified services in fields of mutual interest. There is little doubt that the cards were stacked in favor of partition for the maximalist case was really presented with tongue in cheek. The case presented by Dr. Silver before the special session of the General Assembly, was not repeated for the benefit of the UNSCOP. Silver no longer aspired towards
the immediate realization of the Biltmore Declaration because he realized that the presence of a Jewish minority at the present time militated against such realization. He retreated to the position of seeking a postponement of the ultimate until a Jewish majority is obtained in all of Palestine. In this way partition could be obviated and yet the demand for a Jewish state in all of Palestine could be retained.

A plan along these lines had been proposed by Dr. Sneh, a member of the Jewish Agency Executive. He has proposed continued Jewish immigration, and unpartitioned Palestine, equal representation of Jews and Arabs on a temporary government guaranteed by the United Nations. This proposal provides for cooperation with the UN as a decisive political factor in contrast to Zionist official schemes, all of which lean either towards Britain or Britain plus America. In actuality what is being proposed is a continuation of the Mandate and its liberalization with respect to immigration, and some form of bi-nationalism. Its major intent is to avoid partition and to concentrate upon creating a Jewish majority in Palestine. This is very much in line with the political direction of Dr. Silver.

The exponents of bi-nationalism likewise had their opportunity to speak when Judah L. Magnes presented his views on behalf of the Ihud Association. He again proposed political parity as a solution whereby Palestine is to be a country composed of two equal nationalities where each is to have equal political power regardless of which is the majority. As to immigration, Dr. Magnes proposed Jewish immigration up to numerical parity with the Arabs, but failed to explain how such numerical parity could be permanently maintained. He also advanced the need for a transitional period of trusteeship under the United Nations with Great Britain as trustee. In the interim, while the Mandate is operative, an equal number of Jews and Arabs should be appointed to the Executive Council, to the Secretariat as heads of non-controversial government departments. The Hashomer Hatzair, also advocates of bi-nationalism, were critical of Magnes' acceptance of Britain as a trustee, proposing instead a three powered trusteeship on the grounds that Palestine under Britain, would of
necessity be included in her international power politics. Official Agency criticism of the Magnes program of bi-nationalism was based on the following points: 1) the absence of equal effort towards accord on the Arab side. 2) a state cannot be divided in its own purpose—it is either the main objective of the state to absorb immigrants in an expanded economy; or it is not. In Magnes' state this would be the aspiration of one half and the apprehension of the other. A Jewish veto could thus do nothing to the Arabs, whereas an Arab veto could prevent a Jewish majority.

Among ostensible advocates of bi-nationalism have been the Communist Party groups of Palestine. Mr. Mikunis representing the Palestine Communist Party, in objecting to Dr. Magnes' conception of parity, envisaged an independent unitary state with political safeguards. Palestine would be a state with two Houses: first, a House of Representatives elected democratically on the basis of proportionate representation, and a House of the people elected democratically on a regional basis, and composed of fifty per cent Jews and fifty per cent Arabs. E. Preminger, member of the Central Committee of the Palestine Communist Union, in testifying on July 17th, came out for the creation of an independent democratic united state, common to both Jews and Arabs, built on full national and political equality for both its nations and on full democratic rights for all its inhabitants. National and political equality are too often mistakenly equated with political parity.

On the basic issue of Jewish immigration into Palestine, the Communists stated that the number of Jews to be admitted to Palestine could be settled by the country's own government, once Palestine was declared independent. They evaded questions about the seeming unwillingness of Palestine's Arab majority to admit even one more Jew to the country. They by-passed the question of Jewish immigration by falling back upon the general principle that the United Nations should provide facilities for displaced Jews desirous to return to their countries of origin where democratic regimes have been established, as well as those interested in emigration to other countries including Palestine.
Arab Testimony Before the UNSCOP

Testimony of the members of the Arab League was held in Beirut, Lebanon, on July 21. The refrain was the same. In brief, the Arab case was that the Arabs had never accepted the Balfour Declaration favoring a Jewish national home in Palestine, that they did not now accept it and that they felt fully justified in resisting any further attempts to impose it on them. The theme of aggression and resistance by violence to a Zionist state was constantly reiterated. The Arab statement read as follows: "The Arabs cannot be blamed if they should rise as one man to defend their natural rights to repel aggression and do their duty for future generations."

Transjordan's absence from the Lebanon hearings and request that the UNSCOP come to Trans-Jordan led to a belief that that country might submit a separate proposal advocating partition. This was based on the general belief that Trans-Jordan in seeking a greater Syria, might concede a Jewish state in a partitioned Palestine, whereby the Arab section of Palestine would be annexed to Trans-Jordan. Such a possibility had actually been suggested by the Jewish Agency plan submitted last August on the partition of Palestine. This expected independent line did not materialize, however, for the Premier of Trans-Jordan, Samir Pasha el Rifai declared that both the Jewish and Palestine problems could be solved by the settlement of European Jewish displaced persons in other countries.

The UNSCOP Report

As the American Jewish Year Book was about to go to press, the proposed solution of the UNSCOP was released. Because of this only a bare summary of the plan is possible.

The majority report, signed by representatives of Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay, proposed partition of Palestine into Jewish and Arab states respectively following a transitional period that was to end on September 1, 1949. Great Britain was to retain
the mandate subject to UN supervision, during which time it was to permit the immigration of 150,000 Jews into the Jewish area. If independence did not ensue following the transitional period, immigration was to continue at the rate of 60,000 a year.

To obviate the general criticism that partition would create two economically unviable states, the Report posits the establishment of an economic union to deal with a customs union, common currency and the operation of communications and transportation services. Thus the plan reconciles separate sovereignty with unified services in fields of mutual interest.

The boundaries were drawn up to coincide as much as possible with the present distribution of the Jewish and Arab populations, with the exception of the port of Jaffa which is about 90 per cent Arab and adjoins Tel Aviv. The Jewish state would include eastern Galilee, the Esdraelon plain, most of the coastal plain and the entire Beer-Sheba district. This includes the Negeb, the sparsely populated desert area in the south. The Arab area would include western Galilee, the hill country of Sumaria and Judea (excluding the Jerusalem area), and a narrow strip of the coast in the south from Isdud to the Egyptian frontier.

The territory proposed for the Jewish state closely approximates that requested by the Jewish Agency except for the hills of western Galilee which it sought in order to have a larger contiguous boundary with Christian Lebanon. The inclusion of the Negeb was especially welcome because of the large number of Jews that may be settled therein once the reclamation projects are put into effect. The Negeb's 4,500 square miles are almost half of the whole area of 10,000 square miles comprising Palestine.

It is estimated that in the recommended Jewish state there would be 500,000 Jews and 416,000 Arabs, but this ratio would be considerably changed in a short time if 150,000 Jews were to be admitted into Palestine by September 1, 1949. After that date there would not be any limitations to Jewish immigration except as dictated by the proposed sovereign Jewish state. The Arab state is estimated at 715,000 Arabs and 8,000 Jews.
The Report likewise proposed the internationalization of Jerusalem and the integration of its economy with that of the two states through the proposed joint economic union. Thus, 100,000 Jews and 106,000 Arabs are removed from the physical orbit of either state, except that provision is made for the residents of Jerusalem to opt for citizenship of either state. One may assume that the option will proceed along ethnic lines except that one may expect deviations if the economic and political advantages of citizenship in one state are greater than those in the other. It is not unlikely, therefore, that many of Jerusalem's Arabs will seek citizenship in the Jewish state.

The minority federation plan supported by India, Iran and Yugoslavia calls for the creation of an independent federal state of Palestine following a transitional period not exceeding three years, during which responsibility for administering Palestine and preparing it for independence shall be entrusted to an authority to be decided by the General Assembly. A federal legislature is to be established, composed of a lower House elected on a racial parity basis, and another House elected on a proportionate basis.

An international commission composed of three Arab, three Jewish and three United Nation representatives would be appointed to estimate the absorptive capacity of the Jewish state to determine the extent of Jewish immigration. Thus no provision is made for immediate Jewish immigration, as in the majority report.

The major territorial difference between the two plans is that the Arabs would get a much larger share of the coastal area and part of the Beer-Sheba sub-district.

Besides the constitutional and territorial differences in the two plans, one must recognize the political implications. germane to the minority report is the proposal that the administering authority should be decided upon by the General Assembly. Common to both reports, however, was the recognition of the case for a Jewish homeland.

The Arabs naturally reacted negatively to both proposals. The first official Zionist reaction was expressed in a resolution
adopted by the Zionist General Council, meeting in Zurich on September 3, 1947, which read in part as follows: "The Council notes with satisfaction that a substantial majority of the United Nations Special Committee on Palestine recommended the early establishment of a sovereign Jewish state. The territory proposed is a minor part of the territory originally promised the Jewish people on the basis of its historic rights.... There are other features of the proposal which require careful examination." The Council found the federation plan "wholly unacceptable." Advocates of bi-nationalism voiced their disapproval of the partition report. The reactions of other Jewish organizations are not available as this is being written.

GREAT POWER INTERESTS IN THE MIDDLE EAST

That Great Britain has been thinking of Palestine in connection with its strategy in the Middle East has long been evident. During the war the British military staffs responsible for future planning began to create an over-all plan for Middle East defense. The program contemplated partial, if not complete, withdrawal from Egypt and shifting the strategic center to Transjordan and Palestine. It has been questioned whether the British Government can afford to gamble on quitting Egypt if the Holy Land is not available as the principal base for guarding the Suez Canal and serving as a pipeline from the oil fields of Iraq and Iran.

Besides its inherent usefulness Palestine also is integral to the use of Transjordan which is slated to be an important British base. Under the terms of the treaty concluded in 1946 between Transjordan and Great Britain, the latter has almost unlimited rights to use Transjordan as a military center in case of necessity. However, access to Transjordan depends largely on Palestine, for Transjordan's only port, Aqaba, is inferior to Haifa.

Palestine also is vital to Great Britain for its oil. One branch of the Iraq Petroleum Company's pipeline terminates in Haifa. The British are not inclined to entrust the safety of
vital pipelines to another great power or to young and unstable governments.

These considerations tend to negate the belief that Great Britain's withdrawal from Greece and Turkey portended a complete retreat from the Middle East which would leave the United States in command. At most, it means that Great Britain is calling upon the United States to act jointly in the Middle East vis-à-vis Russia. Ernest Bevin made this clear in a speech on May 28, 1947, when he frankly stressed the importance of oil for the standard of living of every Briton. He concluded, "We cannot afford to lose our position in the Middle East."

Role of the Arab League

The Arab League has become pivotal in the resolution of the British-Russian struggle for the Middle East. Repeated statements about the illusory nature of the League have been disproved and prophecies about its imminent dissolution have not materialized. As a matter of fact, being wooed by Great Britain and the Soviet Union has enhanced the League's importance. This trend was foreshadowed by the entrance of the Arab bloc of six powers into the United Nations. In this connection, Azzam Pasha, General Secretary of the Arab League, declared that "at San Francisco, in London and New York the votes of the Arab League were eagerly sought by the rival Big Powers. This was proof enough of the new status of the Arab countries."

At the United Nations sessions in London, the Russian delegation was vociferous in demanding withdrawal of French and British troops from Syria. Aided by Russian influence, the Arab League bloc prevented Turkey from obtaining chairmanship of committees and was instrumental in keeping Turkey and Iran out of both the Economic and Social Council and the Security Council.

More specifically with respect to Palestine, it should be noted that the Arab League succeeded in having Iraq elected
to the Trusteeship Council and participated as a unit at the September and January London Conferences on Palestine. The action of the Arab League at these deliberations was as much an indication of a desire to effect an agreement on Palestine as to prevent Russia from taking an influential role in the situation, for these feudal countries fear Communist inroads which may upset their existing social and economic structure.

The major unifying factor in the Arab League has been the issue of Palestine. At a conference in Bludan, Syria in June 1946 a Permanent Committee for the Boycott of Zionist Goods was set up and has since been in operation. In addition, the Palestine Arab Higher Executive Committee is now wholly financed by Arab League grants. Despite this close cooperation between the Palestine Arab Higher Executive Committee and the Arab League, the latter did not succeed in inducing the Palestine Arabs to attend the London Conference in September because Grand Mufti Haj Amen El Husseini had been barred as a member of their delegation.

The Palestine Arab boycott of the conference was reputedly based on the fear that the League might be amenable to compromise despite the unyielding attitude indicated by the plan presented to the British. These suspicions on the part of the Palestine Arabs were grounded in the fear that in order to obtain greater concessions from Great Britain with respect to evacuation of its troops from Egypt, the latter might accede to some form of partition proposed by the British.

At the September session of the United Nations Assembly, the Arab bloc sought to bring the subject of Palestine into the deliberations through indirection. Resolutions of a seemingly innocuous nature were introduced to serve as a basis for excluding further Jewish immigration into Palestine. Although most of the innocently worded resolutions were defeated, Egypt finally succeeded in introducing an amendment into the International Refugee Organization Constitution which requires guarding against the resettlement of refugees and displaced persons in territories against the wishes of the native population.
Oil Interests in the Middle East

Although Great Britain hopes to gain American support in order to meet Russian expansion, it has not been unmindful that the United States has an exclusive franchise to perhaps the richest oil reserves in the world in the Middle East. In the Palestine debate Great Britain sought to embarrass the United States in these oil lands by describing the historic American interest in Palestine as a bid for votes in Congressional elections.

Actually, the oil interests of all the Big Three powers impinge upon each other. Great Britain, first to stake claims in the Middle East, has exclusive rights to rich concessions in Southern Iran and holds major shares of the fields in Iraq. The Soviet Union has exclusive rights in northern Iran where it is believed large petroleum fields exist. An extensive Russian mission, including economists and geologists, reportedly was preparing to make an investigation of the mineral wealth in the Middle East. It also is believed that considerable oil deposits exist in Yemen.

The United States moved into the Middle East relatively recently and now has extensive holdings in Saudi Arabia, Bahrein and Ethiopia. In The New York Times of November 28, 1946, C. L. Sulzberger reported that “American oil towns are now materializing along the baking east coast of medieval Saudi Arabia and inland amid the shifting sand dunes as possibly the greatest petroleum boom in history takes shape along hitherto little explored regions on the Persian Gulf.”

It since has been reported that two big oil deals were consummated under which American companies would exploit more thoroughly the vast oil interests of the Middle East. It was disclosed that the Arabian-American Oil Company, with exclusive rights to the Saudi Arabian fields, would sell about thirty per cent of its holdings to the Standard Oil Company of New Jersey and ten per cent to the Socony-Vacuum Oil Company.

A second agreement also was reported; according to this, Standard Oil of New Jersey and Socony-Vacuum agreed in principle with the Anglo-Iranian Oil Co., Ltd. to purchase
substantial quantities of crude oil from the British company which operates in Iran.

With respect to the possible effect of American oil interests in Palestine, the following paragraph in the aforementioned Sulzberger article should be noted:

They say that although King Ibn Saud has been irritated with the question, the King told one "Aramco" executive that rumors he might withdraw the oil concession because of American support of the Zionists were "hot wind."

Ibn Saud's denial is less important than the fact that the American oil interests would look unfavorably on a policy such as that reflected in President Truman's strongly worded letter to Ibn Saud in October 1946 which has antagonized the Arab world.

THE WORLD ZIONIST CONGRESS

With the eleven-nation sub-committee about to explore all aspects of the Palestine problem, the Jewish Agency was seen as compelled to define a long-range political aim. Statements to the United Nations in April by Abba Hillel Silver and David Ben-Gurion were ambiguous for they could be interpreted as favoring a Jewish state in all of Palestine when a Jewish majority evolves, or they could be construed as approving partition. Their utterances were typical of the constant postponement and evasion of the question of ultimate political form. This was particularly true during the last World Zionist Congress when a radical change in leadership took place without, however, making any substantial decisions. This becomes clear from a review of the activities of the Congress.

Composed of 375 delegates, the World Zionist Congress met in Basle, Switzerland on December 9, 1946 for the first time since 1939. The Congress was confronted with two major problems: participation in the Conference on Palestine called by Great Britain and election of the future leadership of the Zionist movement. The latter problem was virtually decided when the Congress, by a vote of 171 to 154, rejected participation in the Conference "under present circumstances." This
was generally interpreted as a vote of no confidence in Dr. Chaim Weizmann's leadership and as a desire to manifest greater resistance to British policies.

**Struggle for Leadership and Control**

The inability to replace Dr. Weizmann as President of the World Zionist Congress resulted in a coalition executive composed of eight General Zionists, seven Labor Zionists and four Mizrachi. The establishment of a coalition executive and the qualified refusal to participate in the Conference indicated the inability of any single group to dominate the Congress.

This unprecedented failure of a World Zionist Congress to elect a president may be explained by a number of complex and interrelated factors. Throughout the Congress the personality and policies of Chaim Weizmann were the paramount issues. It is likely that his leadership would have been challenged long before, had a Congress been able to convene. Dr. Weizmann was never considered an enthusiastic exponent of the Biltmore program, which has been the corner stone of American Zionist policy as represented by the Abba Hillel Silver's Zionist Organization of America since 1942.

The latest controversy came to the fore when the Jewish Agency proposed in August, 1946 to participate in the September Conference called by Great Britain, if the establishment of a viable Jewish state in an adequate area of Palestine were the purpose of the discussion. Dr. Silver succeeded in obtaining an implied censure of this policy at the convention of the Zionist Organization of America which again endorsed the Biltmore program, though the resolution did not close the door to partition.

Thus the ZOA delegation came to Basle prepared to challenge the policy of the Agency, Weizmann's personal leadership and to vie with the Palestinian Labor leaders for control of the World Zionist Organization and the Jewish Agency. The American Zionists under Dr. Silver had long been contending that because of the importance of the United States and because the American Jewish community is the
largest in the world, it should be given commensurate influence in dictating Zionist policies. It was also felt by Silver’s followers that Weizmann’s pro-British orientation had impeded the realization of the Biltmore program. Dr. Silver had long maintained that pressure should be brought upon Great Britain through American channels and that this could be done properly only by American Zionists. Internecine conflict in United States Zionist circles had been rife ever since the Jewish Agency established an office in Washington under Dr. Nahum Goldmann during the war—for Goldmann acted independently of the American Zionist Emergency Council, the highest Zionist authority in the United States. The American Zionists gained their objective when it was decided at the Congress that Dr. Silver would be chairman of the Washington office, though Moshe Shertok of the Palestine Labor group will be stationed there.

To counterbalance the likely change in emphasis that would result from Dr. Silver’s control of Zionist politics on the American scene, the Agency office in London was placed under the influence of individuals who believed that England can be prevailed upon to make concessions in the direction of both interim immigration and partition. The Palestine Labor party retained control of the Palestine office.

Trusteeship and Partition

It should be noted that the World Zionist Congress passed a resolution rejecting “any new Trusteeship over Palestine superseding the protest Mandate by which the establishment of the Jewish State would be prevented or postponed.”

On March 31, 1947, David Ben-Gurion explained the Agency’s fear of international trusteeship on the ground that Great Britain wanted Palestine to assume the status of an international trusteeship under which the obligations of the mandate would no longer apply and under which the Jews would remain a minority group. In his opinion, international trusteeship would be but a euphemism for turning Palestine into a second Malta.
This negative attitude on trusteeship has not crystallized into a formal policy. On April 27, 1947, Dr. Silver and Mr. Shertok stated in a press interview that the Agency would welcome United Nations trusteeship over Palestine if it were effectively enforced and if rights granted to the Jews by the League of Nations were guaranteed. If, for example, it should be recommended that Palestine be placed under the United Nations, it would be up to Great Britain to submit a trusteeship agreement which would have to be approved by a two-thirds vote of the Assembly and presumably would also require the acquiescence of the Palestinian Arabs and Jews.

The Russian espousal of a bi-national state somewhat strengthened the Hashomer Hatzair which has only 20 delegates of the 171 in the Jewish National Assembly of Palestine. They continued to seek Dr. Weizmann's return to the Zionist leadership and in this they have been supported by the Aliyah Chadashah (New Settler) party which also holds 20 seats in the Assembly and which seeks Weizmann's recall.

The issue of partition has been paramount since the last World Zionist Congress. It has been evident, however, that despite failing to take a definitive stand on partition and even preventing its being proposed as a solution, the pro-partitionists in the Agency have had the upper hand and have acted accordingly despite all protestations. To date, there has been an informal acceptance of partition.

It may perhaps be paradoxical but is nevertheless true that the advocates of a Jewish state in all of Palestine are now prepared to retreat and have adopted a long range position. Seeing that it is well nigh impossible to attain a Jewish state in all of Palestine without a Jewish majority, they have fallen back on an interim solution based solely on further Jewish immigration. Thus the extremists became the moderates by shunting political ultimates to a side.

The pro-partitionists have been bolstered in their stand by the positions taken by the non-Zionist bodies such as the American Jewish Committee and the Anglo-Jewish Association. In August 1946, Judge Proskauer, President of the American Jewish Committee, endorsed the Jewish Agency plan submitted to the State Department by Nahum Goldmann.
The Anglo-Jewish Association has likewise indicated its acceptance of partition as desirable or opposed to either the Morrison or Bevin plan.

Composition of Jewish Agency Executive

Knowledge of the stand taken by these organizations that approximate the opinion of the majority on the present agency Executive, and British challenge that the Agency is without non-Zionist representation, has led to a reconsideration of the composition of the Agency Executive. On March 23, 1947 the Executive of the Jewish Agency adopted the following resolution:

The Executive considered changes which have come in the composition of the extended Jewish Agency as a sequel to the destruction of European Jewry and other alterations which have occurred over the years, and decided to examine the changes which are necessary to introduce into the Constitution of the Agency so as to adjust it to new realities. The conclusions from this examination will be submitted to the Zionist General Council’s session.

The changes necessary for “adjustment to its new realities” had already taken place with the increase in the number of American Zionist members in the Agency Executive in August 1945. This trend was further strengthened during the Basle Congress. The previous Agency Executive did not have an American Zionist on the Executive except for Louis Lipsky who had only an advisory vote.

The rectification of the existing omission of non-Zionists in the “enlarged” Jewish Agency which according to its Constitution should contain equal representation of Zionists and non-Zionists, had not taken place in the Spring of 1947, though preliminary meetings have been held. It should be noted that though the non-Zionists have in the past represented only individuals, the meetings that took place in April were conducted organizationally with the non-Zionists being represented by the Agudas Israel and the American Jewish Committee. Also participating were the American Jewish
Conference and the World Jewish Congress, organizations that can not be considered non-Zionist in ideology, and this may prove to be an obstacle in the way of reconstitution. The American Jewish Committee may be said to represent at such meetings the interests of other non-Zionist bodies such as the Anglo-Jewish Association of Great Britain and the Alliance Israelite Universelle of France.

2. DISPLACED PERSONS

By Philip S. Bernstein

The Nazi war not only destroyed 6,000,000 European Jews, their homes and communities, but also left a tragic aftermath of homelessness and hatred. It is estimated that some 30,000 Jews were found alive in the concentration camps by the liberating Allied armies. They had neither the strength nor the will to return to the lands where they had lost everything.

Repatriates from Russia

A much larger group, who later became the bulk of the displaced Jews, were those who had been repatriated from Russia. These people had fled from Poland before the advancing German armies, found temporary haven in the Baltic countries and in White Russia and, subsequently, were sent to work in the interior of Russia—middle Asia, Siberia, etc. In the fall of 1945 and in the spring of 1946, all who could prove Polish citizenship were given the choice of remaining in Russia or of returning to Poland. Nearly all of them, approximately 150,000 persons, elected to return to Poland. They hoped to find their families, their possessions and a new free way of life. Instead, they discovered that their loved ones had been exterminated, their property demolished or confiscated.
and their hopes blasted by pogroms. The latter culminated in the Kielce pogrom of July 4, 1946, in which forty-two Jews were murdered outright by Polish men, women and children, with the apparent approval of the entire community. Disappointment and fear pushed 130,000 Polish Jews toward haven in the U. S. Zones of Germany and Austria. In the spring and summer of 1946, they were moved also by the hope, stimulated by the recommendation of the Anglo-American Commission to admit 100,000 displaced persons into Palestine, that Germany would be the staging area for their emigration to their ultimate desired goals.

Still another group of Jews, stirred by similar, though not so desperate, motivation, infiltrated from other east European countries, notably Hungary and Rumania. These, together, never constituted more than 15 per cent of the infiltration.

**Policies of Occupation Authorities**

In the U. S. Zones the basic policy for the reception and care of displaced persons was formulated by General Dwight D. Eisenhower. As Supreme Commander of the Allied Expeditionary Forces, he announced that "The liberation, care and repatriation of United Nations displaced persons is a major Allied objective," and enjoined the use of all available resources at the disposal of the military commanders to accomplish this aim.

This policy was maintained by his successor, General Joseph T. McNarney. Facing the onrushing, irresistible flood of refugees pouring across the Polish border, through Czechoslovakia, into Austria and Germany, he ordered his armies to admit them and to take care of them.

In the British Zones the refugee Jews received different and inferior treatment. They were denied DP status and treated like the Germans. Energetic efforts were made to prevent their admittance; on the other hand, they were not discouraged from migrating from the British to the U. S. Zones. As a result, the British never had more than 10 per cent of the total Jewish DP population of the U. S. Zones.
Only a handful of Jews found haven in the French Zones, where their food and care were reported to be inadequate. The Russians were alleged to have denied the existence of a separate Jewish DP group. Very few Jews remained in the Russian Zones. They were not anti-Soviet but preferred not to be under Russian control.

The great flow of east European Jews was reduced to a trickle in the fall of 1946. As contrasted with 3,900 who crossed the Polish-Czechoslovakian border in one night in August of that year, the winter months saw practically no movement. Nor was there any substantial movement in prospect when, on April 21, 1947, General Lucius D. Clay, Commander in Chief of the European Command, issued an order denying DP care to any further infiltrees. This order did not close the borders of the U.S. Zones to infiltrees, but closed the camps to them. Henceforth, they were dependent for sustenance on the indigenous economy and on the help of Jewish voluntary agencies.

At this point the population of displaced Jews became stable. On June 1, 1947, there were 156,646 Jewish displaced persons in U.S. Zone, Germany, of whom 123,778 lived in camps. In U.S. Zone, Austria, according to official reports, there were 27,456. The British Zones in Germany and Austria contained about 16,000; the French Zones about 2,000. There were reported to be about 25,000 Jewish displaced persons in Italy.

Although there was no compulsion to live in camps, approximately 80 per cent of the Jews preferred to do so because of better care and greater security. At the time of stabilization, Jews constituted approximately one-quarter of the total DP population; the other large groups consisted chiefly of Poles and Balts.

The United States Army recognized a special responsibility toward the Jews because of their special suffering. This was due, both to the basic traditions and policy of the United States toward victims of persecution and to the criticism of their early treatment by President Truman's special emissary, Mr. Earl Harrison. Jews were given the following advantages over other DP's, some of whom were alleged to have collabo-
rated with the Nazis: They were automatically granted DP status and exempted from the screening imposed on others; their basic ration of 2,200 calories was higher than the basic ration of the non-Jews, 2,000; German police were not permitted to enter Jewish camps for the purpose of making arrests; no raids could be made on Jewish camps, except with top level approval; the trials of Jewish offenders were ordered to be expedited; those convicted were exempt from serving their sentences in German jails and were not subject to compulsory repatriation; there was a special Adviser on Jewish Affairs at the Headquarters of the Theater Commander, at first Judge Simon H. Rifkind and, subsequently, Rabbi Philip S. Bernstein of Rochester, New York; on September 7, 1946, General McNarney gave official recognition to the Central Committee of Liberated Jews, their democratically elected representative organization; the Jews were exempted from the repatriation pressures designed to induce other DP's to return to their native lands.

By the spring of 1947, the Jews were settled in the following installations:

<table>
<thead>
<tr>
<th></th>
<th>Number of Installations</th>
<th>Population (in 1000)</th>
<th>Population (in % of total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Camps</td>
<td>63</td>
<td>103</td>
<td>67.0%</td>
</tr>
<tr>
<td>Hachsharoth</td>
<td>39</td>
<td>3.6</td>
<td>2.5%</td>
</tr>
<tr>
<td>Communities</td>
<td>139</td>
<td>43.7</td>
<td>25.3%</td>
</tr>
<tr>
<td>Children's Centers</td>
<td>14</td>
<td>4.1</td>
<td>2.8%</td>
</tr>
<tr>
<td>Hospitals &amp; Sanatoriums</td>
<td>48</td>
<td>3.5</td>
<td>2.4%</td>
</tr>
<tr>
<td></td>
<td>303</td>
<td>157.9</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

**Agency Services**

Recognizing the need for camp administration by an international civilian body, arrangements were made for the United Nations Relief and Rehabilitation Administration to assume this function. At the height of its program, UNRRA had some 4,000 persons in Germany alone, administering its DP activities. Its staff was truly international and, in many instances, Jews encountered profound sympathy in the non-Jewish personnel. The Army gave food, clothing and shelter; UNRRA provided administration and some amenities.
The need for supplementary services by Jewish voluntary agencies was recognized not only by American Jewry, which contributed the largest sums in the history of philanthropy, but also by the Army and UNRRA. The American Joint Distribution Committee steadily built up a program of usefulness, providing supplementary food and clothing, amenities and medicaments, educational and religious equipment, as well as immigration and other services. The Jewish Agency for Palestine not only participated in activities designed to prepare Jews for migration to Palestine, including the establishment of Hachsharoth, but assumed responsibility for instruction in the camps. The children were given a Zionist orientation, which reflected the outlook and the wish of the camp communities. The Hebrew Immigration Aid Society offered various immigration services. The world ORT Union conducted occupational training schools. The Vaad Hatzala devoted itself to the rehabilitation of orthodox Jewish life among the displaced persons and assisted a number of orthodox rabbis in migrating to the States. The Jewish chaplains in the United States Army, who rendered yeoman service in the early days of liberation, continued to render special, though more limited, services, as the time passed.

The Central Committee of Liberated Jews, founded through the initiative of Chaplain Abraham J. Klausner on June 15, 1945, became a highly organized institution, prepared to take over most of the functions and services to the DP's. The AJDC transferred to this body many of its functional responsibilities.

**Health Conditions of DP’s**

When liberated from concentration camps, the Jews were sociologically abnormal. All the older people and all the children had been exterminated. The intellectuals, the professional people, the leadership, the sick, the weak, had perished. Chiefly those survived whose labor or skill was useful to their captors. The handful of survivors found that their families had been destroyed.

In due course the Jewish will to live asserted itself. Marriages abounded. The birthrate was higher than in any other
Jewish community. Despite lack of privacy and normalcy, illegitimate births were rare. In lands where venereal disease had become almost ubiquitous among the military and civilian populations, it was negligible among the Jews.

Their health steadily improved. Flesh was put on wasted figures. The camps were justly proud of the prowess of their athletic teams. The children, especially those born in the camps, were normal, healthy specimens. In the dreadful winter of 1946-47, there were no epidemics, no deaths from hunger or cold—a tribute both to their own reserves of health and to the care given them by the United States Army.

It should be added that the normalization was partly due to the infiltration of large numbers of repatriated Polish Jews. For the most part, these people had fled to Russia as family groups. They escaped Nazi extermination and degradation. Their old people and children, their rabbis and leaders, survived. They worked very hard in Russia, enduring many privations, but emerged in reasonably good health. Thus, they transplanted to Germany the sociological structure of a Polish Jewish community.

**Age and Occupational Structure**

The age distribution of the Jewish DP population in assembly centers, as of February 1, 1947, follows:

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Number and Sex</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 1</td>
<td>6,610</td>
<td></td>
</tr>
<tr>
<td>1-5</td>
<td>5,386</td>
<td></td>
</tr>
<tr>
<td>6-17</td>
<td>16,099</td>
<td></td>
</tr>
<tr>
<td>Total, 0-17</td>
<td>—</td>
<td>28,095</td>
</tr>
<tr>
<td>18-44</td>
<td>54,639 (men)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>42,041 (women)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>—</td>
<td>98,680</td>
</tr>
<tr>
<td>45 and over</td>
<td>6,776 (men)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5,486 (women)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>—</td>
<td>12,262</td>
</tr>
<tr>
<td>Total, 18 and over</td>
<td>—</td>
<td>110,942</td>
</tr>
<tr>
<td>Grand Total</td>
<td>—</td>
<td>139,037</td>
</tr>
</tbody>
</table>
The Jews who were rescued from the concentration camps were not strong enough to work, nor did they have the will to do so. Under the Nazis, work meant slavery and, ultimately, death. In Germany they were unwilling to upbuild the economy of the nation that had despoiled them. Both their physical disability and their attitude found sympathy among the Americans, and no special effort was made to induce or compel them to work. But, as time passed, and, particularly, with the influx of the repatriated Polish Jews, the situation changed. They took over all the functions of the camps. They became its teachers, nurses, cooks, policemen, garbage collectors, shoemakers, etc. Work projects were established in a number of camps which produced clothing, shoes, utensils, toys, etc. By the summer of 1947, it was evident in most camps that about one-third of the population were working, which constituted over one-half of the employables. Considerable numbers were enrolled in occupational training schools. A study of the Jewish DP's employed at their primary skills revealed the following information:

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountants</td>
<td>984</td>
<td>639</td>
</tr>
<tr>
<td>Business Executives</td>
<td>988</td>
<td>224</td>
</tr>
<tr>
<td>Salesmen</td>
<td>977</td>
<td>298</td>
</tr>
<tr>
<td>Farmers</td>
<td>1102</td>
<td>325</td>
</tr>
<tr>
<td>Nurses</td>
<td></td>
<td>540</td>
</tr>
<tr>
<td>Auto Mechanics</td>
<td>567</td>
<td></td>
</tr>
<tr>
<td>Drivers</td>
<td>1035</td>
<td></td>
</tr>
<tr>
<td>Butchers</td>
<td>1074</td>
<td></td>
</tr>
<tr>
<td>Bakers</td>
<td>814</td>
<td></td>
</tr>
<tr>
<td>Domestics</td>
<td></td>
<td>1660</td>
</tr>
<tr>
<td>Locksmiths</td>
<td>1367</td>
<td></td>
</tr>
<tr>
<td>Shoemakers</td>
<td>2032</td>
<td></td>
</tr>
<tr>
<td>Tailors or Seamstresses</td>
<td>3717</td>
<td>4886</td>
</tr>
<tr>
<td>Teachers, Professors, Academics</td>
<td>424</td>
<td>381</td>
</tr>
<tr>
<td>Textile Workers</td>
<td>960</td>
<td>603</td>
</tr>
</tbody>
</table>

Black marketing, it must be added, also constituted an occupation. Obviously, this was not peculiar to the Jews, for all Germany—indeed, most of Europe—was in the throes of the black market, owing to the scarcity of necessities. Further-
more, a rigid interpretation of regulations regarded barter as black market. Thus, a father who might exchange a package of cigarettes for a bottle of milk for his child would be regarded as a law-breaker. Nevertheless, because Jews were segregated into special communities, where their activities seemed to be conducted in a goldfish bowl, their share of "operators" made them particularly vulnerable to the charge of black marketing.

Political and Cultural Activities

The Jews enjoyed a lively political life. They elected their own camp committees who, in turn, chose regional committees. At the top stood the Central Committee of Liberated Jews with a highly organized political apparatus which employed, in 1947, about 1,000 persons in its various bureaus. At first the various committees were chosen, regardless of party affiliation. Most of the top leadership seemed to be of Lithuanian descent. In time, and reflecting the heightened Zionist tensions, party alignments played a greater role. At the Congress of Liberated Jews in February, 1947, the Central Committee was elected entirely on a party basis. The Zionist parties, reflecting the structure of Palestine politics, were: Hashomer Hatzair, both branches of the Poale Zion, Pechach, Mizrachi, General Zionists, Revisionists, and Aguda.

Camps conducted interesting cultural programs. Lectures and concerts were given by their own people and by outside celebrities. Theatrical groups sprang up. Lecture courses were presented. Volks-Universitaten were founded. There were as many newspapers and magazines as could be supplied with paper.

Religious activities enjoyed a moderate success. Not all Jews were religious, but more of them participated in observances than would have done so in a normal community. There was no Liberal or Reform Judaism among them. They were either observant Orthodox Jews or, if indifferent, insisted upon traditional ceremonies in times of need.

One or more synagogues were to be found in all camps. In most of the larger camps there was a Mikvah. The Army assisted in arrangements for Kosher meat. Many of the
smaller camps had only a Kosher kitchen; the larger camps had both Kosher and general kitchens.

Despite their sufferings, the Jews did not berate nor deny God. Nor did they indulge in the mystical escapism which became popular in France and in England. They did not become faddists. They retained a tough-minded, critical realism about their universe, from which faith was not lacking.

Morale

Although some of the camps consisted of small houses, most of them were converted German barracks. Large, drab, rectangular buildings faced an open square. Because bombed-out Germany was overcrowded, both with its own population and with millions of Germans expelled from other countries, housing space for DP's was limited. Frequently, therefore, from four to ten people of different ages and sexes would occupy one room. There was little privacy, few amenities. Although health regulations required communal eating, most people in large camps managed to prepare their own meals in their own sleeping quarters.

The adults were short, by comparison with Americans or Germans. In manner they were excitable, their emotions easily aroused. Crowds would quickly gather around a visitor or an argument. Confronted with ugly quarters and limited food, their life was a constant selfish struggle for existence. On the other hand, they were capable of great generosity and self-sacrifice. No camp population ever refused to admit any of their brethren fleeing from persecution. Established camps shared their meager food with new camps that were in need. On the fringes of many camps were numerous Jews who, prevented from registration in these particular camps by maximal capacity regulations, were fed by friends and relatives from their own limited rations.

The individual Jew seemed reasonably normal under abnormal conditions. As a mass, however, they frequently showed signs of hysteria. Wild, unfounded rumors spread like wildfire, and were devoured. Although they developed day
by day relations with many Germans, the men sometimes with German women, they hated them with an unforgiving hate. They were unwilling to accept any plan which involved some concession to the Germans.

The Children

The children were remarkable. At first, there were none. Then, rescue parties began to bring in from Poland those who had hidden in forests, caves and cellars; those who had fought with partisan bands; and those who had been hidden by Christians. Most of them had undergone fantastic experiences. One was thrown, in a suitcase, out of a moving train by his parents on their way to the extermination chambers. Another was chloroformed by his physician father and carried out of the Kovno Ghetto in a sack of potatoes. Others had registered as Christians or Moslems. Many of these children had no Jewish education and knew no Yiddish. Most of them were prematurely aged and wizened. Under affectionate and generous care, both by the DP’s and by the various agencies, they soon became normal Jewish boys and girls. These unattached, and usually orphaned, boys and girls numbered over 5,000. They lived in special children’s centers. They conducted their own vigorous cultural and athletic programs. Their entertainments were imaginative and creative. The other children, numbering over 22,000, lived with their families in the camps.

Testimony of General Clay

Looking back over the horrors visited upon these people, the losses they suffered, the ugliness of camp life, the dreary, protracted delays in their resettlement, and all the threats of demoralization, these Jewish displaced persons achieved a remarkable rehabilitation. General Lucius D. Clay who, as Military Governor and, later, as Commander in Chief of the European Command, observed them closely for two years, passed this judgment upon them:
The behavior of the Jewish displaced persons has not been a major problem at any time since the surrender of Germany. I wish that I could say the same for all other groups. The Jewish displaced persons were quickly gathered into communities where their religious and selected community leaders insisted on an orderly pattern of community life. Of course, we have had many minor problems resulting from the assembly of large numbers of Jewish displaced persons in the midst of the people who had caused their suffering. Moreover, the unsettled economic conditions in Germany have made barter trading and black market operations a common problem. Even in this field, the Jewish displaced persons have not been conspicuous in their activities as compared to other displaced persons groups or, in fact, as compared to the German population itself.

The Jewish displaced persons have on the whole established an excellent record insofar as crimes of violence are concerned, and in spite of their very natural hatred of the German people have been remarkably restrained in avoiding incidents of a serious nature with the German population.

In view of the conditions under which they have had to live in Germany, with their future unsettled and their past suffering clear at hand, their record for preserving law and order is to my mind one of the remarkable achievements which I have witnessed during my more than two years in Germany.

By the summer of 1947, the prospects of these people were not good. UNRRA had expired. Gone were its vast funds and large trained staff. The International Refugee Organization had replaced it, but with severely limited funds and personnel. Under pressure from an economy-minded Congress, the United States Army was attempting the occupation of Germany with substantially reduced forces, with no money and little attention for the DP's. The heaviest burdens in their history were falling upon the voluntary agencies at a time when a reversal in economic trends was cutting deeply into their funds.
**DP—German Relations**

The continuing abnormalities of their lives in Germany could not help but bring about some deterioration in the relations of the displaced Jews with the German population and with the Army.

Studies of Germans’ attitudes revealed that four out of every ten would participate in, or condone, overt acts against Jews. An additional four were ardent German racists or nationalists, easily susceptible to anti-Semitic incitement. In addition to their anti-Semitic predisposition and conditioning, these Germans were confronted with terrible housing, food and fuel shortages. They resented the displaced persons in their midst and begrudged whatever they received. Although few overt acts occurred, the tensions were mounting. Anti-Semitic threats, songs, abuse were again heard.

The high level policy of the United States Army continued to be as sympathetic and as fair as could be expected under the circumstances. But, on the operational level, difficulties were increasing. The military personnel in the field had contacts with DP’s only at the point of trouble. Because these soldiers were usually young and lacking in background for the understanding of so alien and complex a problem, it was hard for them to have a sympathetic or just evaluation of these uprooted Jews. Increasingly, as United States policy turned more activities over to the Germans and, also, as German girls influenced American men, the Americans were affected by German attitudes.

**Emigration a Compelling Necessity**

These external threats of deterioration and growing inner dangers of demoralization made it clear that the Jews could not and should not stay much longer in Germany. But where should they go? Very few wished to return to their lands of origin. Despite the announced good intentions of the Polish government, they felt they could not trust the Polish people who had committed and permitted such outrages as the Kielce pogrom. They feared, too, that their return in any
numbers to Poland would again evoke the same violent anti-Semitism.

Responsible organizations and persons, including the writer, explored various immigration possibilities. In most instances, it developed either that the countries did not want Jews or wanted such categories of labor as were not to be found among Jews, such as miners and lumbermen. Norway offered to replenish its slaughtered Jewish population, but the numbers were small. France granted 8,000 transient visas. Other European countries took a few. The United States, by the reestablishment of the quota system, took larger numbers, but altogether, by the summer of 1947, they constituted less than 5 per cent of the DP population.

After much painful exploration it became clear that there were only two realistic possibilities: increased immigration to the United States and mass resettlement in Palestine. About 25 per cent of the displaced persons wished to emigrate to the United States, chiefly to join their relatives. Having lost most of their families, there was a natural and overwhelming desire to reunite with the remaining fragments. The immigration of some 60,000 Jews to the United States over a period of time would obviously impose no hardships. In the early stages, their families and the Jewish communities would take care of them. Their work skills and native intelligence would enable them to make a useful contribution to American life.

Resettlement in Palestine was the passionate and unquenchable wish of most of the displaced Jews. The opening of its doors at any moment would have led 90 per cent of them in that direction. Simultaneous immigration possibilities to the United States and Palestine would have found 75 per cent on the road to Zion. Even the attempt permanently to close the doors of Palestine would have found at least 50 per cent prepared to oppose all delays and obstacles with their unflagging determination to go there. There were no anti-Zionists among the DP's. Even those who were migrating to the United States believed in the Jewish National Home. Their Zionist views reflected the divisions in the Zionist movement. But all of them believed in the need for creating a Jewish state in Palestine, not necessarily in all of Palestine.
This powerful national urge expressed itself in steady and growing unauthorized immigration to Palestine. The young, the vigorous, the unattached went first. It was estimated, by the summer of 1947, that 30,000 from Germany and Austria had migrated toward Palestine since liberation. The obstacles placed in their path were very great, but neither hardship nor hazards could deter them. Out they went in growing numbers.

AM YISRAEL CHAI.

3. THE IRO

Refugees and Displaced Persons totaling over a million during the past year, in Germany, Austria, Italy, as well as outside of Europe, were being cared for with the aid of UNRRA, the Armies of Occupation, the Intergovernmental Committee on Refugees (IGC) and voluntary welfare organizations. A large part of the DP's lived in camps; others found temporary homes outside the camps. Most of the camps were administered by UNRRA, while food, clothing and medicine were provided by the control authorities in the various zones of occupation of the Western powers.

The Intergovernmental Committee on Refugees provided legal protection, maintenance and assistance in resettlement for the refugees under its jurisdiction. Originally established in 1938 to assist German victims of the Nazis, it had in 1943 expanded its program to aid all victims of racial, religious or political persecution. Though many governments were formally affiliated with it, it was to all intents and purposes an Anglo-American body. Its funds were provided mainly by the United States and the United Kingdom. A special provision in the German reparations agreement, signed in

1 Prepared in the office of the American Jewish Committee.
January 1946, had placed under its administration a sum of $25,000,000 out of German assets, to be used for the rehabilitation and resettlement of the victims of the Nazis.

The voluntary welfare organizations cooperated with and supplemented the assistance rendered by the governmental agencies.

At the time of writing (spring 1947), the status of the DP problem was confused and uncertain. UNRRA was scheduled to terminate its DP services by the end of June 1947. The IGC was generally judged not to have fulfilled the goals for which it was organized.

The first session of the United Nations General Assembly, held February 1946, had given recognition to the international scope of the refugee and DP problem and had referred it for study to the Economic and Social Council. The Council, in turn, had established a Special Committee on Refugees and DP's which had met in London from April 1 to August 1, 1946, and had produced a report including a draft constitution for a non-permanent organization to be called the International Refugee Organization (IRO). The report of the Special Committee, summarizing both majority and minority opinions, was debated at the Third Session of the Economic and Social Council in September 1946 and again at the session of the General Assembly which followed (October-December 1946). Toward the close of this session the General Assembly finally voted to submit the draft constitution to the individual members of the United Nations for their approval. According to the constitution, the IRO was to come into existence after ratification by fifteen countries whose contributions would provide at least seventy-five per cent of its operational budget.

Function and Scope

The functions of the IRO, as defined in the constitution, were to be: (1) repatriation; (2) identification, registration and classification; (3) care and assistance; (4) legal and political protection; (5) transportation; and (6) resettlement and reestablishment in new countries.
Of these, the primary function was to be the encouragement of voluntary repatriation. However, refugees and DP's who—in complete freedom and after receiving full knowledge of the facts—refused repatriation were to be provided with maintenance and legal protection in their present places of residence, and to receive aid in their resettlement in new countries.

The term "refugee" was defined as applying (1) to a person outside his own country, who was either a victim of Nazi, Fascist or Falangist persecution or a pre-war refugee; (2) a person outside his own country, who, as a result of events subsequent to the outbreak of the war, is unable or unwilling to avail himself of the protection of his own country; (3) a person who, having resided in Germany or Austria, and being of Jewish origin or a foreigner or stateless person, was a victim of Nazi persecution and has not yet been formally resettled therein; and (4) unaccompanied children who are war orphans or whose parents have disappeared and who are outside of their own country.

The term "displaced person" was defined as applying to a person who, as a result of the actions of the Nazi, Fascist, quisling or similar regimes, "has been deported from, or has been obliged to leave, his country of nationality or former habitual residence, such as persons who were compelled to undertake forced labor or who were deported for racial, religious or political reasons."

The constitution also listed those classes of persons who might not become the concern of the IRO. These included: (1) war criminals, quislings, traitors and persons who, under certain conditions, assisted the enemy; (2) persons of German ethnic origin who had been transferred to Germany from other countries; and (3) persons who, since the end of hostilities had, under certain conditions, sought to overthrow their own governments by armed force, or had become leaders of movements hostile to their own governments, or sponsors of movements directed against repatriation.

These definitions and principles represented an attempt to arrive at a compromise between the views of the East European countries—the countries of origin of most of the displaced
persons—which emphasized the view that resettlement should be a minor part of the IRO program, and the views of the Western nations which, stressing the humanitarian concept of asylum, sought to expand the definitions and classes of persons who might be assisted by the IRO, and who opposed involuntary repatriation.

The East European governments objected to the constitution, among other reasons, on the grounds that its constitutional provisions against anti-repatriation propaganda were not adequate. They opposed its omission of the proposal that governments of the countries of origin be consulted before appointment of camp administrators. In general, while agreeing to IRO assistance to victims of Nazi and Fascist regimes, they objected to similar assistance to refugees and DP's whose chief reason for refusing to be repatriated was opposition to the new regimes in their countries of origin.

These debates did not in the main specifically concern the Jews. The claim of the Jewish refugees and DP's to assistance was recognized by all sides, and virtually all classes of Jewish refugees were covered by the IRO constitution. The remnants of Jewish refugees from Greater Germany were covered in the category of pre-war refugees. Those from Eastern Europe were covered by the definitions of DP's.

For a time there was disagreement over the status of the native Jews of Germany and Austria who were residing in their own countries. IRO assistance to them had been opposed by the British delegation on the grounds that for the IRO to act in regard to persons inside their own countries would establish a dangerous precedent. It was argued that it might imply correctness of the Nazi claim that there is no place for Jews in Central Europe. The British, supported by the Lebanese, also argued that it would introduce the principle of racial discrimination in favor of Jews—in the refugee and DP problem. However, the opposition was overruled. A special paragraph was introduced in the draft constitution by the Special Committee on Refugees and DP's and endorsed by the Economic and Social Council at its June 1946 session, covering assistance to German and Austrian Jews in their native countries, who had either returned to their coun-
tries of origin as a result of war circumstances, or who had never left those countries.

The interests of Jewish refugees were also indirectly threatened by a proposed Russian amendment directed mainly against the non-Jewish political refugees from the eastern European countries. This amendment would have entitled to international protection and assistance only refugees and DP's who left their countries of origin before the end of hostilities. Adoption of this amendment would have operated to the detriment of the Jewish "infiltrates." It was, however, defeated.

Also defeated was an Egyptian amendment proposed in the General Assembly directed against Jewish immigration to Palestine. This amendment proposed that resettlement should "in no case be imposed on a sovereign nation or run counter to the freely expressed wishes and aspiration of a majority of the indigenous population of a trust or non-self-governing regions or territories." In its stead, an American-sponsored compromise amendment was adopted calling upon the IRO to "give due weight, among other factors, to any evidence of genuine apprehension and concern" felt in regard to resettlement plans, "by the indigenous population of the non-self-governing country in question." This compromise largely diluted the danger contained in the Egyptian amendment.

Operation

The Economic and Social Council at its September 1946 session decided on an IRO budget, for the first year of its operations, of $160,860,000, divided as follows: administration: $4,800,000; operations: $151,060,000; and large scale resettlement: $5,000,000. However, governments could voluntarily supplement their contribution to the resettlement part of the budget. The United States quota was fixed at 45.75 per cent or about $71,024,670 and the British, second largest at 14.75 per cent or $22,280,000.

At the time of writing, 16 governments had signed the constitution. However, only five nations, (Australia, China, Iceland, New Zealand and the United Kingdom), whose budget quotas totaled only 19.47 per cent, had done so un-
conditionally. The signatures of the other eleven (Belgium, Canada, Dominican Republic, France, Guatemala, Honduras, Liberia, the Netherlands, Norway, Philippines, and the United States), with quotas totaling 56.05 per cent, was conditional upon ratification of the constitution by their governments.

However, the constitution contained a clause allowing the establishment of an IRO Preparatory Commission as soon as eight governments had signed it. It was decided that, since months might pass before the formal establishment of the IRO, a Preparatory Commission should be set up to make such preparations as were necessary in order that no time might be wasted in starting operations when it became clear that the IRO was to come into being.

The IRO Preparatory Commission held its first meeting in Geneva, Switzerland, on February 11, 1947. At this meeting it was decided to request an advance contribution from the United Nations so that the Preparatory Commission might commence its operations. The Preparatory Commission named as its Executive Secretary, Arthur J. Altmeyer, former Commissioner of the Social Security Administration of the United States Federal Security Agency. The Executive Secretary was authorized to make preparations for the operation of the IRO, including the taking over of UNRRA's Central Tracing Bureau for Missing Persons; and the preparation of draft agreements with military authorities, the governments of the ex-enemy countries where the refugees were located, and the governments of the countries of resettlement.

A second meeting of the Preparatory Commission was held in Lausanne, Switzerland, on May 1. At this meeting, the Preparatory Commission voted to assume formal responsibility for refugees and DP's in Europe and Asia as of July 1, 1947, despite lack of the full quota of acceptances of the constitution. As of this date, the Preparatory Commission was to take over the assets and functions of the UNRRA and the IGC. Guiding principles of the IRO program were formulated at this meeting. The IRO was to be responsible for the selection and direction of its operating and supervisory staff. It was to determine which individuals were eligible for assistance and
standards of care to be provided them. Food and other basic supplies were to be made available without cost from indigenous sources by the occupation authorities.

The UNRRA and IRO had had agreements with over sixty voluntary societies providing relief and specialized services of various sorts to the refugees and DP’s. These agreements were to terminate on June 30. The Preparatory Commission was authorized to make new ones with those organizations which wished to continue similar associations with the IRO.

The IRO was to aim at the same standards of living the UNRRA had tried to achieve. Its emphasis, however, was to shift from relief to rehabilitation, with a view to rendering the refugees and DP’s fit for repatriation or resettlement. The diet of the refugees and DP’s was not to be lower than that of the local population among whom they dwelt. Where the local diet was sub-standard, IRO was to supplement the refugee and DP standard.

The IRO was to try to provide useful employment for as many DP’s as possible, using them wherever feasible in camp maintenance, IRO administrative work, and projects sponsored by the occupation authorities.

IRO was to reorganize and expand the tracing services previously conducted by UNRRA in cooperation with the occupation authorities. This service was of great importance for many reasons. It was used to help in reuniting families and in tracing the civil status of children. The IRO was also to provide quasi-consular services for certain categories of refugees, such as those carrying Nansen passports.

The original budget fixed by the Economic and Social Council was $151,060,500, based on the assumption of 100 per cent UN membership. In the light of the limited acceptance of membership, the Preparatory Commission reduced the budget to a little over $112,000,000, seventy-five per cent of that of the Economic and Social Council. However, should sufficient funds be pledged or made available, the 100 per cent basis might be restored. It was estimated that, when divided among an average number of about 750,000 DP’s expected to be cared for during 1947–1948, the per capita
expenditure would come out to be only about $150 per year for all forms of assistance. Some predictions anticipated that a considerably larger number of DP’s would be eligible for IRO assistance. In that event, the per capita expenditure would be reduced in proportion. The prospect appeared to be that in the coming year the DP’s would receive less international assistance than in the previous year.

The Commission passed a resolution expressing a preference for Geneva as the future headquarters of the IRO.

The Commission estimated on the basis of a fiscal year commencing July 1, 1947, and ending June 30, 1948, that there would be at least 750,000 refugees and displaced persons eligible for care and maintenance on the first day of the operating year and 450,000 on the last day. The withdrawal of 300,000 was expected to be made up as follows: 150,000 through repatriation, 30,000 through settlement overseas, 70,000 through settlement in countries in Western Europe and 50,000 increase in the number of self-sustaining refugees and displaced persons no longer requiring care and maintenance. These figures allowed for a small amount of infiltration or temporary increases in the population eligible for care.

As far as the Jews were concerned, resettlement, chiefly outside of Europe, was the main aspiration. The estimate that only 30,000 refugees and DP’s would be resettled overseas during the next year did not augur well for the realization of the aspiration. Even with the 70,000 expected to be resettled in Western Europe, the DP problem in general, and its Jewish aspect in particular, was still expected to remain of serious proportions at the end of the year.
The problem of finding places of resettlement for the Jews of Europe, those in the DP centers as well as large numbers in their native countries, was greatly complicated after the war by the fact that there was a similar search for resettlement opportunities on the part of non-Jews in almost every country of Europe.

A survey of emigration pressures in the various countries in Europe, published in The New York Times January 22, 1947, indicated that, had it not been for immigration restrictions, the world would have been living through one of the great migrations of history. The reasons for these pressures included economic difficulties, scarcities of various kinds of goods and a general loss of hope in the future of Europe. The survey showed, for example, that apart from the DP's in Germany, there was intense desire on the part of a large part of the German population to escape from Europe. In Poland, apart from the Jewish emigration pressures, were it not that the government granted no exit permits, a large number of non-Jews would have emigrated. A large part of the Italian population wished to emigrate, and the post-war government, in fact, unlike its fascist predecessor, favored such emigration as a safety valve. More than one quarter of the Finnish population was reported wishing to emigrate. In the United Kingdom, too, the desire to leave was strong and the government was erecting no barriers to emigration. Britishers had greater opportunities for emigration than any other people in the world, due to the preference of the Dominions for British immigrants and to the large British quota in the United States immigration law. Hundreds of thousands of Britishers were reported waiting to emigrate to these countries.
Thus, the various non-European countries which were capable of receiving immigrants had a large choice from which to select. Only humanitarian and liberal convictions could bring them to accept Jewish and other DP's in preference to, or on a basis of equality with, these other potential immigrants. Unfortunately, however, when faced by the choice between presumed self-interest, and between humanitarian and liberal considerations, the actions of few countries were determined by the latter. It was for this reason, in part, that the general, and especially the Jewish DP problem, was found to be so difficult of solution.

The restrictive policies of most of the overseas countries did not originate with the end of World War II. They evolved over the last two or three decades, beginning in some countries after World War I and in others as a reaction to the depressions of the early 1930's. In some countries, restrictions were imposed in the form of laws fixing numerical quotas, as well as of other statutory regulations. In others, the executive branch of the government was granted broad discretion to determine immigration policy within the framework of certain broad flexible principles and in accordance with the political and economic exigencies of the time.

While in no countries were any restrictions based officially on religion, almost all overseas immigration countries discriminated on the basis of race or nationality. On the other hand, some countries did discriminate unofficially on the basis of religion. The various discriminatory techniques used included geographical quotas, financial requirements, literacy tests, occupational priorities, etc. Most of these techniques continued to be applied in many countries after World War II.

However, after the end of this war, a change seemed to take place in the attitude toward immigration in many countries, both in Europe and overseas. This change was reflected in official and semi-official statements of intention to inaugurate in the near future large-scale immigration programs.

The optimism which these statements generated at the time of their issuance with regard to possibility of a rapid solution of the problem of the Jewish DP's was dissipated in the months following the end of the war. The recognition
soon crystallized that two obstacles lay in the way of Jewish immigration. One was the principle of "selective" immigration, whereby preference was to be given to persons with particular occupations or skills. In most cases, these occupations and skills referred to agriculture, mining, lumbering, and certain others in which Jews were not adequately represented. The other important obstacle was the unofficial anti-Semitism which lingered in the immigration policies of many countries.

The present account will review briefly the Jewish immigration situation in various parts of the world, as of the summer of 1947. Although the situation in many countries was in flux and the sources of information were in many cases conflicting and ambiguous, the general picture presented is accurate in broad outline.

**BRITISH DOMINIONS**

**Australia**

Australian law did not fix any geographical quotas. The immigration authorities possessed virtually full discretion in deciding the numbers and types of immigrants to be admitted.

At the time of writing, public sentiment in the country clearly favored British immigration, though opinion was divided regarding the advisability of admitting non-British immigrants. The opposition derived partly from strong nationalism and a sense of racial purity, and partly from the uneasiness among organized workers lest immigration threaten the high standard of living. At the same time, influential elements in the country favored increased immigration. Among these were certain industrial groups who argued the need of increasing the labor population, not without the hope of cheapening the cost of labor. In the labor movement, too, with the end of the war, opinion veered in favor of European immigration. One of the influential promoters of general, as well as Jewish, immigration, was the Minister of Immigration, Arthur A. Calwell.

On August 2, 1945, Mr. Calwell outlined to the Australian House of Representatives a future immigration program for
the country, setting as a goal the annual admission of 70,000 Europeans. He emphasized, however, that this program was to be subordinate to the overriding requirements of demobilization, re-employment and rehousing of veterans, and maintenance of the standard of living. Until these conditions existed, preference would be given to relatives and certain classes of skilled workers.

According to official figures given by Mr. Calwell in March 1947 to the House of Representatives, 2,023 Jewish immigrants had been admitted into the country since the end of the war. Of these 1,115 had come from Europe, 781 from Shanghai and 37 from Manila. In addition, landing permits had been granted for several thousand others whose arrival was being held up by the shipping shortage. Apart from these figures, Mr. Calwell also showed that the Australian immigration record fell considerably below the 1938 Evian Conference commitment to admit 15,000 refugees. For from 1938 till the outbreak of the war, only 5,080 refugees were admitted; during the war only 482 entered, except for 913 refugee internees allowed to remain out of 2,542 sent from Britain on a temporary basis in July 1940. This made a total of 6,475 from 1938 till the end of the war, plus 2,023 since that time, an overall total of 8,498. Of these, moreover, many were non-Jews.

These figures were presented by Mr. Calwell as a reply to accusations that too many Jews were being admitted. Among the attackers were such prominent figures as former Prime Minister and leader of the Liberal Party, Robert K. Menzies, as well as the head of the Returned Servicemen's League.

During the past year, there crystallized in Australia an awareness of the need for enlarging the population through immigration, as a defense against the possibility of revived Japanese imperialism. However, this immigration had at the same time to solidify the British character of the population. Thus, Mr. Calwell was reported to have announced in London on July 1, 1947, that he hoped to arrange for the emigration to Australia of 400,000 British subjects in the next few years. He estimated that whereas there were ten to fifteen
million too many people in the British Isles, Australia had to increase its population from 7,137,000 to 20,000,000.

There was reason to hope that if this program should get under way in the course of the next few years, increased numbers of non-British Europeans might manage to enter on the tide of the British immigration, including numbers of Jews. Unfortunately, however, the Jewish refugee and displaced persons problem was too urgent to await such a long-range development. The program of admitting 12,000 DP's, announced on July 20, 1947, by Mr. Calwell, specified that preference was to be extended to heavy workers, notably those from the Baltic countries. This preference implied fewer opportunities to Jews.

**Canada**

In Canada, as in the other Dominions, broad discretion was granted to the executive authorities to regulate the immigration standards and procedures, within the framework of broad legislative principles. Since World War I, and especially after 1931, immigration policy discriminated against persons from Eastern Europe while granting preference to those from Western Europe, especially from the United States and the British Commonwealth. It also gave preference to agriculturists.

After the depression of 1931, Jewish immigration to Canada fell considerably. Between 1931 and 1937 only 4,487 Jews, constituting about 4.75 per cent of the total immigration, entered Canada. From 1937 to 1943, 4,381 Jews, or 5.76 per cent of the total, entered. During 1945, only 347 Jews were admitted.

Since the end of the war, public opinion regarding immigration has been divided. Strong elements of the population oppose immigration. Particularly in the Province of Quebec is immigration opposed, especially of Jews, for fear that the new immigrants would add to the strength of the English elements in the country.

Few significant changes in the restriction policies were made after the end of the war as a contribution to the solution of
the refugee and displaced persons problem. Only to a minor
degree were recommendations repeatedly urged upon the
government by the Canadian Jewish Congress and other
liberal immigration groups, accepted by the government.

A measure adopted early in 1947 made eligible for admission
more distantly related kin than heretofore. This measure did
not, however, go as far as the recommendation of the Canadian
Jewish Congress. A HIAS survey indicated that only about
800 to 1,000 more Jewish displaced persons were thereby made
eligible.

The government also accepted in part the petition of the
Canadian Jewish Congress that certain occupations, in which
Jews were represented, such as tailoring, should be given
favorable treatment. On June 12, 1947, the government
announced the grant of permission for the entry of 5,000
displaced persons skilled in certain trades, 2,500 of whom
were to be tailors. The plan to admit the latter was worked
out by the Garment Manufacturers' Association, the I.L.G.
W.U. and the Amalgamated Clothing Workers' Union, in
collaboration with the government authorities.

At the time of writing, comparatively few Jewish displaced
persons had immigrated to Canada. It was anticipated that
a few thousand might arrive during the coming years as a
result of the recent government liberalization decrees. How-
ever, the Canadian post-war immigration program was clearly
operating less favorably in relation to the Jewish displaced
persons that to the non-Jewish displaced persons.

South Africa

The basic laws governing immigration in South Africa were
the Acts of 1913 and 1937, which gave preference to native-
born British subjects and a wide measure of discretion to an
Immigrants' Selection Board. The selection criteria given to
this Board included the assimilability of the immigrants, the
need for their skills, and the ambiguous criterion of unlikeliness
"to be harmful to the welfare of the Union."

The Jews who came to South Africa before 1933 were
chiefly of East European origin. In 1930, an effort was made
by the anti-Semitic Nationalist Party, which was then in power, to curtail the entry of East European immigrants and to give preference to German and West European immigrants. To this end, it passed the Quota Act of 1930. However, this law failed to achieve its purpose of drastically reducing the entry of Jews. For, following the rise of the Nazis to power in 1933, substantial numbers of Jews entered under the comparatively large German quota. To close this loophole, a new immigration law was passed in 1937 abolishing the quota system and enlarging the powers of the Immigrants' Selection Board to regulate the entry of immigrants. Thereafter, the number of German Jews admitted annually fell from a few thousand to a few hundred.

With the outbreak of the war in September, 1939, the entry of Jews was reduced to a trickle. In the four years from January 1, 1940 to December 21, 1943, only 196 Jews entered. In 1944, a mere 20 Jews entered. Since then, only a very small number of Jews, mainly aged parents and relatives, have been admitted.

Public opinion regarding the admission of Jews became increasingly antagonistic during the past year. The chief opposition stemmed from the Nationalist Party whose official program, adopted in 1941, contained the following plank on Jewish Immigration: "The Party favors in general the immigration of suitable assimilable white European population elements . . . the Party recommends the immediate cessation of all further immigration of Jews and of all elements which cannot be assimilated by the South African nation or which are a hindrance or dangerous to society."

Since the end of the war, the immigration policy of the United Party, under the leadership of Jan Christian Smuts, has vacillated. Prior to August 1946, the United Party stressed the various obstacles to immigration. However, on August 14, 1946, Prime Minister Smuts, leader of the United Party, announced before the Head Committee of the Party a new policy of increased immigration. As reasons for the new policy, he cited the need for strengthening the proportion of the white population to the colored and the need for increased manpower for the development of the country. The
goal of this program was reported to be 50,000 immigrants, with emphasis on those with desirable skills. To implement this program, immigrant selection committees were subsequently set up in Rome, the Hague and London.

However, the locations of these committees were an indication that they would be concerned not mainly with DP immigration, but chiefly with immigration from the United Kingdom, Holland and Italy.

The program of the United Party was criticized by the Nationalists on the ground that the new immigrants would interfere with the housing and employment of native South Africans. The real clash was not, however, over the virtues of immigration in general, for the Nationalists in fact favored the admission of immigrants who would tend to add to their influence, such as Dutch and Germans. The United Party, on the other hand, favored British immigrants and was more favorably disposed to immigrants of East European origin. Thus the real controversy was over the type of immigrants to be preferred. It was hoped by the Jewish community that some numbers of Jews would be able to enter as part of the new program.

In the early part of 1947, however, the government immigration policy appeared to shift again, apparently with the intention of winning over the support of part of the very substantial anti-immigration element in the country. Prime Minister Smuts, in a statement in the Senate on March 27, 1947, declared that it would be impossible to take a large section of DP's from the European camps.

A month earlier, General Smuts stated, with specific reference to Jewish immigration, that South Africa was not the solution to the Jewish problem. No country should be overloaded with Jews, he stated, because to do so created anti-Semitism. South Africa, however, favored the establishment of the Jewish National Home in Palestine as a solution to their problem. This statement was protested by a delegation of the South African Jewish Board of Deputies, whom General Smuts assured that his remarks had been misunderstood. Subsequently, in a speech in the Senate on May 27, 1947, he reassured the Jewish community that: "It is not the policy of
the government to differentiate in respect to Jews, and I hope that South Africa will ever remain free of this taint of anti-Semitism.” Although this statement had a reassuring effect on the Jewish community, he gave little encouragement for hope for significant Jewish immigration.

New Zealand

New Zealand, like the other Dominions, had no quota system, but granted wide discretion to the executive authorities. It also granted preference to British immigrants. From 1933 to 1939 an average of only 252 immigrants annually entered the country. The reason was partly that during these years few persons wished to immigrate to so remote a country. More recently, the chief reason for the minimum of immigration was the restrictive policy of the government.

Almost no immigrants entered during the war years and very few since. At the time of writing, a limited scheme of immigration from the United Kingdom was being planned. Virtually no DP’s or refugees were expected to find their way to New Zealand in the immediate post-war years.

LATIN AMERICA

Argentina

Argentine immigration laws placed no numerical restrictions upon the entry of immigrants. Neither did they formally restrict immigration on the grounds of race, religion, or nationality. Until 1933, Argentina pursued a policy of encouraging European immigration. In that year the first of a series of restrictions was introduced. With the outbreak of World War II, immigration was even more rigidly restricted.

After the conclusion of the war, many declarations were made by high government officials regarding the intention to launch a large-scale immigration program. These declarations and the manner of their implementation made it clear that Jews were not to be admitted in any meaningful number. A significant statement was the following made on August 14, 1946, by the then director of immigration, Santiago Peralta,
during a discussion of a 50-year plan to increase the country's population to 100,000,000: "Under this plan, the superior Argentine people of tomorrow" will evolve from the "technically superior people of the world," selected carefully from the "best racial types." Sr. Peralta explained that the bulk of the immigrants were to be Italians, Scandinavians, Irish and Arabs. With clear reference to the DP's and refugees, he stated: "The misery that is left of war-torn Europe must remain there. Argentina cannot put up with that useless human wreckage." Cynically alluding to accusations that his selective immigration theories were anti-Semitic, he noted that he had just allowed 5,000 Arabs from Syria, North Africa and Arabia to settle in Argentina, which showed that he was not an anti-Semite.

In December 1946, the Argentine government made public a decree providing for the establishment of two immigration offices in Europe: one in Italy and one in Spain. The decree specified that immigrants were no longer to enter freely and spontaneously as in the past, but in accordance with principles of selectivity and assimilability. The location of these offices indicated clearly that the emphasis in the selection was to be on immigrants from Italy and Spain rather than on DP's and refugees, or persons of East European nationality. The location of the offices was interpreted by observers as an indication of close collaboration between the immigration authorities and the Catholic Church.

On the other hand, on several occasions, President Peron himself indicated a more friendly attitude to Jewish immigration. On November 7, 1946, he promised an Argentine Jewish delegation to take action in all cases of discrimination against Jews in immigration. In February 1947, he ordered the admission to the country of 47 Jews turned away from the shores of Brazil because their visas had lapsed shortly before their arrival. This presidential action was in response to a petition submitted by the DAIA, the representative body of Argentine Jewry.

However, the significance of these favorable presidential statements was outweighed by the statistics of Jewish immigration. During 1946, it was estimated, fewer than 300 Jews
were admitted, of whom more than half came from other countries in Latin America, and all of whom were close relatives of Argentine citizens or residents. Moreover, some of these immigrants were in transit to other Latin American countries. Of the total of 800 immigrants who arrived in January 1947, only 27 were reported to be Jewish. Of the 2,000 immigrants admitted in March 1947, only 24 were Jewish, apart from the 47 mentioned above who were admitted by special dispensation from President Peron.

Though there were no formal restrictions against Jews as such, persistent reports indicated that the Argentine consuls in Europe were functioning on the basis of instructions from the central authorities in Argentina not to issue visas to Jews, either permanent or transit. At the same time, the entry of Italians and Spaniards was facilitated in every possible way.

**Brazil**

Unlike most of the other countries of Latin America, Brazil had an immigration quota system, introduced in 1935 in imitation of the U. S. Quota Law. This system fixed the annual quota of any country to two per cent of the total number of immigrants from that country who arrived in Brazil between 1884 and 1933. However, the quota of any country could be increased to 3,000, and could carry over to the following year. Portuguese and natives of the Americas were exempt from the quotas, which gave preference to Italians and Spaniards, and discriminated against East Europeans. Within the framework of the quotas, the law assigned 80 per cent of the annual quota of each country to agricultural immigrants.

However, the Brazilian quota system, unlike that of the U. S., did not bind the government too narrowly, for aliens brought into the country under planned immigration schemes were exempted from the quota limitations. Such schemes could be sponsored by the national government, the states or by private agencies.
Before 1936, it was easy for Jews to immigrate to Brazil. The quota system and other restrictions, introduced as a consequence of the considerable influx of Nazi refugees and the economic depression of the early thirties, brought about a decline in Jewish immigration. With the outbreak of World War II, Jewish immigration fell progressively from 4,600 in 1939, to 2,416 in 1940, 1,500 in 1941, 108 in 1942 and 11 in 1943. Very few Jews entered during the next two years.

It was hoped, however, that with the end of the war, Brazil would embark upon a large-scale immigration program from which Jews as well as non-Jews would benefit. Numerous declarations to this effect were made by high government officials. For example, in July 1946, Joao de Barros, chairman of the Brazilian Immigration Council, stated that from 100,000 to 800,000 DP's in Europe might be permitted to enter Brazil without question as to religious or political affiliation. The statement submitted by Brazil to the UN Special Committee on Refugees and DP's, in May 1946, mentioned a figure of 100,000 to 200,000 immigrants to be admitted each year. This statement, however, did note that emphasis would be placed on "assimilable" immigrants, and on agriculturists and technicians.

In practice, Brazil fell far short of her declarations. The 1946 agreement of the Brazilian Government with the Inter-governmental Committee on Refugees provided for the admission of only 35,000 refugee immigrants during the following year. At the time of writing, the actual number of arrivals appeared to be falling short even of this goal. According to IGC reports, there were no Jews on the first two boats which brought over 1,700 DP's to Brazil in May and June 1947 under this agreement. Of the 1,000 Jews who entered in 1946, only two-thirds came as permanent immigrants. In the first three months of 1947, 1,069 Jews entered, but only 40 per cent as permanent immigrants. In April, immigration restrictions were "tightened" up to such an extent that a group of 47 Jewish immigrants who arrived with visas that had lapsed by a few days, due to unavoidable technical delays, were not permitted to land. Few Jews entered in May and June.

In brief, the prospects were that the two largest, richest and
most powerful countries in Latin America, Argentina and Brazil, were not likely to make any meaningful contribution to the solution of the Jewish DP problem.

**Mexico**

Aside from Brazil, Mexico was the only country in Latin America with a quota system. This system, introduced in 1935, charged the Ministry of Interior with issuing each year a schedule of quotas for the following year. The schedule for 1947 allowed unlimited immigration from countries in the Western Hemisphere, the Philippines and Spain; a maximum of 1,000 immigrants from the countries of Western Europe, Sweden and the Soviet Union, and a maximum of 100 from all other countries. The basic law which established this system favored the entry of agriculturists and restricted that of merchants, professionals and industrial workers, except those with specified skills.

With the end of the war much discussion took place in Mexico regarding the revision of immigration policy. In these discussions it appeared that, except for Spanish Republican refugees and Italian farmers, anti-immigration sentiment in the country prevailed over that of pro-immigration. During 1946 Mexico was virtually closed to Jewish immigration, only 300 to 400 persons, mostly relatives of residents, having managed to enter the country. However, Mexico did make a generous offer to grant visas for Jewish war orphans.

**Other Countries in South America**

The immigration situation in the other countries of Latin America varied. In some, where Jews could settle and live on a fairly adequate standard, both culturally and economically, the governments were not very sympathetic; in others, where the governments had expressed willingness to receive numbers of immigrants, Jews included, the conditions of life were such that few immigrants, Jewish or other, were willing to give up the possibility of some day getting to Palestine, the
United States or some other more developed country, even if this meant waiting in the dreary DP camps.

The chief obstacle to Jewish immigration in almost all of these countries was the emphasis on agricultural immigration, and the preference for Catholic and Latin immigrants.

In all, immigration laws existed only on paper, the real factors of importance being the confidential decisions adopted periodically by the governments on the basis of the political exigencies of the time.

Bolivia, which after the revolution of the summer of 1946, had become more favorable to immigration, offered immigrants such primitive living conditions that few were interested in settling there.

Chile, on the other hand, a country where immigrants would be more anxious to settle, and where until 1939 Jews were able to enter in considerable numbers, was practically closed to Jewish immigration after that time. Thus, while from 1933 to 1939, approximately 13,000 Jews were estimated to have entered Chile, since 1939 only a few hundred more were admitted, and these mainly relatives of residents. From July 1946 until January 1947, about 147 Jews were reported by HIAS to have entered the country, and an average of about 50 monthly during the first half of 1947. The agreement signed by the Government of Chile with the IGC in February 1947, providing for the admission during the remainder of the year of 2,000 DP workers and their families, was believed to contain no specification that Jews had to be included among them. The expectation was that very few Jews would be able to enter under this agreement.

The statement of Colombia, submitted to the Special Committee on Refugees and DP's in May 1946, listed a wide variety of immigrant skills that the country was prepared to welcome. This statement, however, expressed an official preference for persons of the Catholic faith and an unwillingness to receive persons whose chief activity was trade. Since the war, the government on several occasions, expressed itself in favor of Jewish immigration. There were reported to be possibilities of entry for Jews on the basis of labor contracts.
However, since the end of the war, few Jews had actually entered.

One of the most liberal in its attitude towards Jewish immigration of all the Latin American countries, was Ecuador, headed by President Velasco Ibarra. The Government of Ecuador made several generous offers of visas for Jewish DP's. According to a HIAS report, 729 visas were granted to Jews in 1946, and 418 during the first half of 1947—a total of about 1,150 since the end of the war. The number of actual arrivals appeared, partly on account of transportation shortages, to be considerably lower. Only 60 Jews were reported to have actually entered in 1946 and about 150 families during the first months of 1947.

The political situation in Paraguay was confused during the past few years, and became even more so during the spring of 1947. Few immigrants were therefore interested in entering that country, and many of those who arrived wished to leave. In 1946, the government granted to HIAS entry permits for 100 Jewish families, most of whom arrived in the country.

The possibilities for Jewish immigration to Peru were reported to be very slight. The country was strongly Roman Catholic, and the agreement signed with the IGC in March 1947, for the admission of 1,000 DP workers and families, was reported to contain a clause providing that 75 per cent of the DP's had to be Roman Catholic. During 1946, few Jews entered the country and it was not expected that any would be admitted in the immediate future. Aside from anti-Semitism, an additional factor in limiting opportunities for Jews was the type of worker sought. By order of preference, these were chiefly domestic servants, farmers, technicians, and other occupational categories, among whom Jews were not adequately represented.

Although Uruguay was a genuinely democratic country, its immigration policy with regard to Jews was not liberal. One reason was reported to be the government's fear of antagonizing the fascist elements in the country through admission of Jews. The HIAS reported that during the second half of 1946, 111 Jews entered the country, and during the first three months of 1947, 130. There was a possibility that small numbers of
skilled Jewish DP workers might be able to enter the country under labor contracts. Uruguay also made an offer of visas for Jewish war orphans.

Although in March 1946, Venezuela informed the UNRRA Council Session that it was interested in receiving DP's, it stressed the principles of selectivity and assimilability. Despite the fact that early in 1947, a Socialist Government took office legally, no steps were taken to encourage Jewish immigration. The agreement signed with the IGC on Feb. 17, 1947, for the immigration of 15,000 Europeans during the coming year, provided, according to reports, that 40 per cent had to be farmers, and the rest artisans, technicians and skilled laborers. The first boatload of 814 DP's who arrived under this agreement on June 26, 1947, consisted predominantly of Greek Orthodox and Roman Catholics.

Central America and Caribbean Countries

Virtually no Jews entered the countries of Central America during the past year. Due to their general cultural and economic backwardness, little consideration was being given to the possibilities of Jews immigrating there.

The legal provision that 80 per cent of all jobs had to be filled by citizens discouraged the Jewish immigration organizations from advising Jews to try to immigrate to El Salvador.

Immigration possibilities to Guatemala were reported to be scarce, except for capitalists and relatives. Even the latter had to undertake to engage in agriculture or to secure licenses to establish small industries. No merchants were wanted. However, at the time of writing, a report from the country indicated that the government was considering the possibility of admitting small numbers of Jewish immigrant craftsmen.

No Jews were reported to have entered Honduras during the past year.

In Cuba, complete discretion as to the number and qualifications of immigrants to be admitted was in the hands of the immigration officials, and was exercised rather arbitrarily.
Small numbers of Jews succeeded in entering the country during the past year.

The Dominican Republic reiterated its offer to receive large numbers of Jewish immigrants. This offer was made originally at the Evian Conference in 1938. Repeating it before the UN Special Committee on DP’s, in May 1946, the Dominican delegate urged Jewish organizations and international agencies to participate in financing such immigration. However, with the experience of the Sosua Settlement in mind, and the fact that most of the Jews already in the country were anxious to leave, Jewish organizations did not encourage further Jewish immigration to that country.

Another country discussed in Jewish circles as a possible place for Jewish settlement was Dutch Guiana. The Freeland League, whose interest was the finding of a comparatively uninhabited territory where a compact Jewish settlement could be established, secured permission from the Government of Dutch Guiana, as well as of the Netherlands whose colony it was, for the settlement of 30,000 Jews in one of the unpopulated areas of the country. There was considerable disagreement over the suitability of this territory from the geographic and economic point of view. There was also doubt within the Jewish community whether an adequate number of Jews would care to begin pioneer lives in so undeveloped a territory, and whether adequate financing would be forthcoming.

EUROPE

Europe was a continent of emigration. In most of its countries, large parts of the population were anxious to start life anew overseas. At the same time, in some of them, the needs of post-war reconstruction had given rise to pressures for increased immigration.

France

One of the most important of the latter was France, where the need for labor was desperate. On October 9, 1946, Paul Robert Prigent, Minister of Population, characterized the
rebuilding of population as "one of the main problems faced by France today" and explained that the country was planning a ten-year immigration program aimed at securing 3 million new citizens, 50 per cent of whom were to be laborers with their families.

It was within the framework of this policy that on March 21, 1947, France signed an agreement with Italy providing for the immigration to France of 200,000 Italian workers within a year. These workers had to agree to work mainly in the mining, building and steel industries. For the same reason, France was interested in retaining as permanent settlers a part of her German prisoners of war.

The problem of permitting the entry of DP's was complicated by the Soviet insistence that they should be persuaded to return to their native land rather than be resettled in new countries. The influence of the Communist Party in France may have been a factor in the Government's reluctance to assume a clear-cut official position regarding the DP's.

At the time of writing, no figures were available regarding the number of Jews who had entered France since the end of the war. The number officially accepted was very small. However, it was reported, unofficially, that the entry of some numbers was being tolerated. In June 1947, it was reported by Moses A. Leavitt, the Executive Vice-President of the JDC, that approximately 1,500 Jews were entering France each month. These were admitted partly in the expectation that they would eventually emigrate elsewhere.

The government also authorized the entry of 2,000 Jewish war orphans from Eastern Europe. Part of these had arrived, and the rest were expected to arrive by the end of the year.

United Kingdom

The United Kingdom was also suffering from an extreme shortage of labor in her mining, building, agriculture, and other industries. To fill the labor shortage, the Government decided to allow a considerable number of German prisoners-of-war working on British farms, and former soldiers of General Anders' Polish army, to remain in the country per-
manently. It also embarked upon a DP immigration scheme, labelled "Westward Ho." About the middle of June 1947, it had admitted a total of about 11,000 DP's under this scheme; most of these were, however, Ukrainians and Balts from the British Zone of Germany. Further DP arrivals, it was reported at the time of writing, were expected to continue at the rate of 1,000 a week for some time. These arrivals had to agree to work in jobs as directed by the Minister of Labor. There appeared to be few Jews among the DP's already arrived and few were expected to be included among the new arrivals.

However, a considerable number of relatives of resident British Jews entered the country during the past year under the so-called "Distressed Relatives Scheme," a program based on a declaration of the Home Secretary in the House of Commons on November 13, 1945.

Belgium

Belgium, too, was experiencing a shortage of labor, particularly in her coal mines. To help solve this shortage, it agreed with the IGC, on January 22, 1947, to permit the entry of 20,000 DP coal miners and their families, mostly of Baltic origin. No Jews were expected to be included among these DP's, since very few were coal miners. However, a few thousand Jewish DP's entered the country unofficially after the end of the war. Some were granted the right to remain permanently, while others were tolerated pending their emigration.

Norway

The first group of 399 Jewish DP's to enter Norway after the end of the war arrived under a government-sponsored scheme in May 1947 from Germany. They were selected by a Norwegian Commission that toured the DP camps in the U. S. Zone of Occupation in search of Jewish skilled artisans and craftsmen. A second group of 200 Jews was expected to arrive in the following weeks.
Sweden

One of the most liberal records in regard to assistance to victims of Nazism was established by Sweden. More Jewish refugees were admitted to that country than the total Jewish population of about 7,500 (according to the census of 1930). Thus, 3,000 refugees were admitted before the war; in 1942, 700 were admitted from Norway; in 1943, 8,000 from Denmark; and in 1944, 250 from Finland. Most of these returned to their countries of origin after the war. About 10,000 Jewish refugees, who had been released from concentration camps in Germany, were admitted to Sweden in 1945. About 1,000 of these left the same year after regaining their health, and about 2,000 more left the following year, while a number of new refugees were admitted to join close relatives residing in the country. All of these refugees were treated with the utmost sympathy and good will by the Swedish Government. However, only small numbers of new Jewish immigrants were expected to settle in Sweden in the coming year.

In summary, all the Jews resettled after the war, plus those expected to be resettled in the year following the date of writing (summer 1947), added up to a dismal figure. The problem of Jewish refugees and DP's remained largely unsolved. The hopes of these Jews were focused chiefly upon the developments in Palestine and the United States. The situation in both these countries is described elsewhere in the American Jewish Year Book. However, to round out the world picture a brief summary is included at this point.

PALESTINE

The Palestine White Paper of 1939 was an attempt to freeze Jewish immigration to that country after 1944. Following the end of the five year period specified in the White Paper, during which 75,000 Jews were to be admitted to the country, immigration was to cease. Between 1939 and 1946
about 100,000 Jews entered Palestine, mostly from Eastern
Europe, but also in considerable numbers from Oriental coun-
tries. As a result of Jewish resistance, the only concession made
to this policy was the quota of 1,500 a month. In the year
1945-1946, about 15,296 Jews entered the country, of whom
48.8 per cent were "illegals." The future of Jewish immigra-
tion, as well as the Jewish political status, was being considered
by the UN at the time of writing.

UNITED STATES

Immigration to the United States was governed by the
Immigration Act of 1924, which introduced a system of
large quotas for immigrants from Western and Central
Europe, and narrowly restricted immigration from Eastern
and Southern Europe. The Truman Directive of December
1945, governing the entry of DP's to this country, had to
operate within the framework of this system and was there-
fore unable to contribute substantially to the solution of the
DP problem, for the countries of origin of most of the DP's
were in Eastern Europe.

The first DP's to enter under the Truman Directive arrived
in the United States in May 1946, and from that date until
April 1947, about 12,400 of them arrived from the U. S. Zone
of Occupation. Of these about 8,000, or 65 per cent of the
total, were Jews.

During this same period, it was estimated that about 20,000
Jews, all told, arrived in the United States. This figure com-
prised, aside from DP's from Europe, 2,000 Jews from Shang-
hai, and 10,000 from other countries, especially Sweden, the
United Kingdom and France. Not all of these were quota
immigrants, many having entered on non-quota, temporary
and transit visas.

During the past year, numerous bills were introduced in
both houses of Congress calling for the relaxation of restric-
tions on immigration. Few of these passed. At the time of
writing, hope for the solution of the DP problem was centered
upon the Stratton Bill in the House of Representatives and
the Ferguson Bill in the Senate. The former provided for the admission of 400,000 DP's during the next four years over and above the normal quotas and without regard to their countries of origin. The latter bill resembled the Stratton Bill, except that it did not specify the numbers to be admitted. Support for these bills came forth from virtually every segment of American public opinion—the churches, the labor movement, civic groups, and the highest government officials, including Secretary of State Marshall and President Truman.

Although hearings were held on the question of DP immigration during the last session of Congress, no action was taken. Instead, a Sub-committee of the Senate Judiciary Committee was appointed to conduct an investigation of the entire immigration system and the problem of entry of DP's into the United States.

5. PEACE TREATIES

By Milton Himmelfarb

In February 1947, in the city of Paris, the foreign ministers of the Big Four—France, Great Britain, the Soviet Union and the United States—approved the definitive versions of the treaties of peace with the former satellite and vassal allies of Nazi Germany. These numbered five in all: Bulgaria, Finland, Hungary, Italy and Rumania. The United States did not sign the treaty with Finland, not having been at war with that country.

Human Rights

In each treaty a clause provides for the protection of human rights. It reads as follows:

Bulgaria [Finland, Hungary, Italy, Rumania] shall take all measures necessary to secure to all persons under Bul-
garian [Finnish, Hungarian, Italian, Rumanian] jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

This constitutes Article 2 of the Bulgarian treaty; Article 6 of the Finnish treaty; Article 2, paragraph 1, of the Hungarian treaty; Article 15 of the Italian treaty, and Article 3, paragraph 1, of the Rumanian treaty.

In addition, the Italian treaty (Article 19, paragraph 4) provides that, in the transfer of Italian territory to other states (Yugoslavia and France),

The State to which the territory is transferred shall, in accordance with its fundamental laws, secure to all persons within the territory, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting.

Abolition of Discriminatory Measures

All the treaties except the Italian include an undertaking to abolish discriminatory measures (Bulgarian treaty, Article 3; Finnish, Article 7; Hungarian, Article 3; Rumanian, Article 4). The master clause reads:

Bulgaria [Finland, Hungary, Rumania] which in accordance with the Armistice Agreement has taken measures to set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favor of, or because of their sympathy with, the United Nations or because of their racial origin, and to repeal discriminatory legislation and restrictions imposed thereunder, shall complete these measures and shall in future not take any measures or enact any laws which would be incompatible with the purposes set forth in this Article.
This was stressed more explicitly in the treaties with Hungary and Rumania (Hungarian treaty, Article 2, paragraph 2; Rumanian, Article 3, paragraph 2). The clause reads:

Hungary [Rumania] further undertakes that the laws in force in Hungary [Rumania] shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Hungarian [Rumanian] nationality on the ground of their race, sex, language, or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter.

Restitution of Expropriated Property

The Hungarian and Rumanian treaties contain provisions for restoring to its rightful owners property extorted under the racist dispensation, and for communal use of properties belonging to communal institutions or to exterminated families. The relevant clauses are Article 27 in the Hungarian treaty and Article 25 in the Rumanian:

1. Hungary [Rumania] undertakes that in all cases where the property, legal rights or interests in Hungary [Rumania] of persons under Hungarian [Rumanian] jurisdiction have, since September 1, 1939, been the subject of measures of sequestration, confiscation or control on account of the racial origin or religion of such persons, the said property, legal rights and interests shall be restored together with their accessories or, if restoration is impossible, that fair compensation shall be made therefor.

2. All property, rights, and interests in Hungary [Rumania] of persons, organizations or communities which, individually or as members of groups, were the object of racial, religious or other Fascist measures of persecution, and remaining heirless or unclaimed for six months after the coming into force of the present Treaty, shall be transferred by the Hungarian [Rumanian] Government to organizations in Hungary [Rumania] representative of such persons, organizations or communities. The property transferred shall be used by such organizations for purposes of relief and rehabilitation of surviving members of such groups, organiza-
tions and communities in Hungary [Rumania]. Such transfer shall be effected within twelve months from the coming into force of the Treaty, and shall include property, rights and interests required to be restored under paragraph 1 of this Article.

The Peacemakers

The treaty-making process had begun more than a year before the final treaties were signed in Paris, subject to ratification in due course. The deputies of the Big Four foreign ministers had been in almost constant session drawing up the draft treaties until the summer of 1946. Then they were submitted, for discussion and recommendations only, to a conference of seventeen allies and the great powers in Paris.

After bitter procedural wrangling, the principle was there accepted that a recommendation for change approved by two-thirds of the states voting would be considered a strong recommendation in subsequent meetings of the Big Four to establish the final texts of the treaties, while a recommendation by simple majority would not carry equal weight. The Soviet Union was a zealous supporter of the two-thirds principle, for the simple reason that she could count on the support of more than one third of the states at the conference, and would thus be in a position to prevent the adoption of recommendations not to her liking. Both the Soviet Union and the Anglo-American bloc used rhetoric that ran entirely in terms of immutable justice, not of voting strength. From a realistic point of view it was hard to understand the Soviet Union's motives for insistence on recommendation by a vote of two-thirds, unless she considered her "prestige" at stake. All the seventeen victorious states that had not attained the eminence of great-power status felt that their being consulted at all was a farcical formality; the few articulate ones among them said so. That they were right was proved in January 1947, when following the Paris conference, the Big Four foreign ministers or their deputies in New York completed the drafting of the peace terms with no apparent
regard to the size of the majority by which any given recommendation had been adopted in Paris.

A perceptive wit, of those who have been uttering memorable and disillusioned mots about peace conferences for many centuries, said of the Paris conference that its greatest achievement was that it had not caused a new war. Another remarked that, in comparison with the proceedings in 1946, the peacemaking of Versailles in 1919 had been a triumph of enlightened and far-sighted statesmanship. Peace conferences notoriously are cursed by dissension among the victors and by the maneuvering of selfish nationalisms for positions of influence and power. The peacemaking of 1946–47, however, was distinguished by unprecedentedly overt expressions of hostility between the Anglo-American and Russian recent allies, as well as by astonishingly coarse and vulgar recriminations.

This was the atmosphere in which Jews had to seek to achieve a firm guarantee of human rights in the defeated countries, and a measure of justice for the surviving Jews of Europe.

The Jews and Power Politics

Before the Jews could hope to influence the peacemaking powers, peace had first to be made among the various bodies in which they were organized and through which they expressed their views on what was desirable for themselves and for their fellow Jews throughout the world. Peace was ultimately made among them, but it was no easy task. The joint recommendations submitted to the Paris conference in August 1946 were signed by the Agudas Israel World Organization, the Alliance Israelite Universelle, the American Jewish Committee, the American Jewish Conference, the Anglo-Jewish Association, the Board of Deputies of British Jews, the Conseil Representatif des Juifs de France, the South African Jewish Board of Guardians and the World Jewish Congress, the last named organization allowing separate signatures for the Canadian Jewish Congress and the (Palestinian) Vaad Leumi.
The combination of organizational rivalry and ideological difference represented by this group of bodies was formidable, and it speaks well for them and for Jewry as a whole that agreement was finally reached, in the face of innumerable temptations for each organization to act separately or for several blocs to form. What finally prevailed over these temptations was the clear realization that conditions were at best not propitious for the acceptance of the demands of justice and decency put forward by nearly all Jews, and that their cause would be utterly hopeless if each organization or bloc of organizations were to act on its own, duplicating or opposing the activities of the others. The harmony that was finally established among these groups was rendered uneasy by memory of past and fear of future strife, but it was greatly superior to the armed truce prevailing among the powers they sought to influence.

The document embodying the joint recommendations of the Jewish organizations is entitled Statements Submitted to the Paris Conference ... , Paris, August 20, 1946. Both for what it says and for what it does not say, it is an impressive document. Compromise and a spirit of realism excluded from it a number of recommendations put forward by one or the other of the cooperating Jewish organizations; on the other hand, some recommendations were included pro forma, as it were, either to keep the record clear or to satisfy one or another of the cooperating organizations, without any real hope of acceptance or sustained effort to secure it.

Minority Rights

The most striking feature of the proposals put forward in these Statements is a demand they do not include the demand for minority rights. Twenty-seven years after the Comité des Délégations Juives had been very largely instrumental in having the celebrated minorities clauses incorporated in the treaties concluded at Versailles, even the formal Jewish requests in 1946 did not go much beyond recommending that the human-rights clauses of the Hungarian and Rumanian treaties should include recognition of freedom of religious
“practice” as well as of religious “worship,” freedom of “association,” and “freedom...to preserve and develop their cultural entity.” The difference between 1919 and 1946 is not to be explained by any alleged domination of Western or “assimilationist” thinking in the latter year, as against a domination of Eastern or “nationalist” thinking in the former; Louis Marshall was not a minor figure in the Comité des Délégations Juives in 1919, and “nationalist” ideologies were not conspicuously weak among the Jewish groups in Paris in 1946. The explanation must be sought elsewhere.

The grim prime reason was the brute fact that Hitler’s exterminations had left Eastern Europe, the traditional seat of an intense Jewish group life outside of Palestine, with a tragically reduced Jewish population. Minority rights can be effectively exercised only by minorities of a certain size. Equally important was the complete triumph of the ideal of the unitary state over the ideals of Wilson's era. A distaste for minority rights was one of the few ideas shared in common by the Eastern and Western blocs of powers. Although this did not prevent Yugoslavia from urging a guarantee of the language rights of the Yugoslav minority in Hungary, there was general approval of the American representative’s comment: “It is difficult for a citizen of the United States to understand the desire to perpetuate racial minorities rather than to absorb them.” A third reason was the clear historical lesson of the years between the wars: the rights and interests of the European Jewish population had not been protected to any significant degree by the inclusion of minorities clauses in the Versailles peacemaking.

Many must also have felt that an effort to guarantee minority rights is a kind of luxury, permissible and even admirable when human rights in general seem to be firmly established, but frivolous at a time when the rights of the individual human being are themselves everywhere being overthrown or challenged. Finally, the tension between East and West was too critical, and the fear that minority issues would be exploited by the other camp was too keen, to allow any reasonable hope to be sustained that minority rights could be confirmed in the treaty-making.
Restitution and Indemnification

The most important recommendations included in the Statements, if we are to judge by the actual efforts of the Jewish organizations to obtain their incorporation in the peace treaties, were concerned with the Hungarian and Rumanian treaties, some relating to the guarantee of human rights and others to restitution and indemnification. Of the first sort were the requests that among the enumerated rights should be included "equality before the law" and "freedom to pursue their economic activities and to preserve and develop their cultural identity"; that the United Nations be empowered to supervise and enforce the fulfillment of the obligation to respect human rights, and that incitement to racial, ethnic, or religious hatred be prohibited. The recommendations dealing with restitution and indemnification were that Rumanian and Hungarian victims of racial or religious persecution be given the status of United Nations nationals with respect to the restoration of property or proper indemnification therefor, and that heirless Jewish property be transferred to the Jewish community for the rehabilitation of the survivors.

Of these recommendations, only the last was incorporated in the Hungarian and Rumanian treaties. This does not mean, however, that the efforts of the Jewish organizations should be rated as unsuccessful. For the Jews of the world, the narrow margins in which their representatives were constrained to act were a condition that they could not hope to change for the better. In 1919 the area between the margins had been greater, and consequently the apparent success was more impressive. In each case, what could be done was done.

Nor should it be overlooked that it would be fallacious to judge the effectiveness of Jewish action in 1946 only by the improvement in the final texts of the treaties over the drafts presented to the Paris conference for discussion. The drafts themselves included human-rights provisions largely because these had come to be accepted almost as a matter of course following the precedent of the human-rights provisions in the United Nations Charter, adopted at San Francisco in the summer of 1945. The fact that Jewish organizations had been
largely instrumental in achieving the incorporation of those provisions in the U. N. Charter a year before spared them the necessity of waging an uphill, probably impossible, fight for including similar provisions in the treaties; instead, it enabled them to ask for more. That more was not granted was not their fault, but the fault of the evil times on which the world had fallen only a short year after the promise of San Francisco.

Non-Discrimination Safeguards

The difficulties under which the Jewish organizations were laboring can be vividly illustrated by the case history of one clause. The draft treaties were relatively uniform in their imposition of obligations to respect human rights and avoid discriminatory treatment on account of race, etc. The Jewish organizations wanted the non-discrimination clause strengthened in the Hungarian and Rumanian treaties. At first none of the great powers was willing to introduce this modification, since they had agreed among themselves to support the drafts they had so laboriously worked out for joint submission at Paris. It was not long, however, before the thin veneer of unanimity cracked under the pressure of controversy over the disposition of Trieste and similar contentious issues, on which the great powers had been unable to secure common agreement for the draft treaties.

It was then that the United States and Great Britain agreed to propose the additional safeguards asked by the Jewish organizations. Great Britain, however, went farther, and proposed that the modification apply to Bulgaria as well. Her reasons were transparent: to put the Russians on the defensive, and to prove by this concern with human rights in Europe that her Palestine policy was not the vicious thing it had been pictured to the world as being. The Jewish groups were embarrassed, because they had not asked for the clause, the Bulgarian Jews themselves did not want it, and the Communist press throughout the world started to denounce the organizations as "lackeys of the imperialists."

The Paris conference approved the additional non-dis-
crimination clause for Hungary and Rumania by a vote of 14 to 6 (two-thirds) and for Bulgaria by a vote of 12 to 7 (just short of two-thirds). The definitive text of the Bulgarian treaty does not include the clause in question. In the months following the conference a compromise on Trieste was arrived at, and the British casually let the Bulgarian clause go.

The Russians, too, after the Trieste compromise, ceased to make a power-politics issue of the clauses by which the Jewish organizations hoped to see a minimum of justice done to the surviving communities in Hungary and Rumania. The Soviet Union accepted the restitution provisions affecting Jews, after making certain that the International Refugee Organization would be given no recognition, and after insisting on the deletion of the adjective “full” before the noun “compensation” in the passage dealing with property restoration or indemnification for victims of Axis persecution.

While the Trieste agreement was a necessary condition for this relatively satisfactory decision on the Jewish clauses, it might not have been sufficient. It is impossible to say how much “credit” should be imputed to the Jewish organizations, which continued their activities in New York in an attempt to influence the deputies of the Big Four after the adjournment of the Paris conference. It is probably not an exaggeration to say that in this instance, too, the Jewish effort was just about as effective as it could possibly be, in the given political conditions.

AUSTRIA AND GERMANY

Not even draft treaties for Austria and Germany had been agreed on by the summer of 1947. The chronology of failure was as follows: in January and February 1947 the deputies of the Big Four foreign ministers discussed the Austrian and German treaties in London, in preparation for their subsequent meeting in Moscow on the same subject; in March and April the foreign ministers and their deputies met in Moscow, and produced nothing but an exchange of animosities in an international atmosphere that made the Paris conference of the year before look almost amicable by comparison; in May
the deputies resumed meeting on the Austrian treaty in Vienna. There was no sound reason to believe that either an Austrian or a German treaty would be jointly signed in the foreseeable future.

Starting in the spring of 1947 substantially the same Jewish organizations that had been in Paris in the summer of 1946 came together in New York to work out joint recommendations for these treaties. By July the great bulk of their technical work had been completed. None of them was optimistic about their chances of success. They realized that the international situation had continued to deteriorate since Paris. Furthermore, in the Austrian and German treaties their chief, almost exclusive, concern was with restitution, and the Russians had shown very clearly that they wanted the Nazi spoils to go to themselves, not to revert to the despoiled.

It was at this time that great vogue was given to the observation of yet another peace-conference wit, to the effect that mankind would have to stop waging wars if it wished to avoid the horrors of peacemaking.

6. HUMAN RIGHTS

By Sidney Liskofsky

The United Nations Charter, ratified on June 26, 1945, included among its purposes the achievement of “international cooperation... in promoting and encouraging respect for human rights and for the fundamental freedoms for all without distinction as to race, language, sex or religion” (Article 1, section 3). To this end, the Charter made it mandatory upon the Economic and Social Council to “set up commissions in the economic and social fields and for the protection of human rights....” These commissions were to serve as advisory bodies to the Economic and Social Council.
Economic and Social Council Recommendations

On February 29, 1946, at its first session, the Economic and Social Council adopted a resolution providing for the establishment of a "nuclear" Commission on Human Rights to work out a set of recommendations concerning the composition, powers and program of a permanent Commission. The "nuclear" Commission met from April 28 to May 20, 1946, and prepared its recommendations for submission to the second session of the Economic and Social Council.

The Council, which held its second session from May 25 to June 21, endorsed most of the recommendations of the Commission, but modified them in many important respects. It recommended, among other things, that the Commission on Human Rights should consist of 18 members, serving, not in their individual capacities as experts, but as representatives of their governments; that the Commission should prepare an International Bill of Rights and devise means for its implementation; and that it should establish three sub-commissions: on the Protection of Minorities; on the Prevention of Discrimination; and on Freedom of Information and the Press. (The permanent Commission subsequently decided to combine the latter two.) It recommended that the Secretariat publish a Year Book on Human Rights, and that member states of the United Nations "be invited" to set up local committees on human rights.

In addition, it adopted a resolution concerning the peace treaties with the former enemy countries, recommending that "pending the adoption of an International Bill of Rights, the general principle shall be accepted that international treaties involving basic human rights, including to the fullest extent practicable treaties of peace, shall conform to the fundamental standards relative to such rights as set forth in this Charter." These treaties (not including those with Germany and Austria), completed in the summer of 1946, contained clauses whereby these states undertook to secure to all persons under their "jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and fundamental freedoms. . . ."
General Assembly Recommendations

All of the above recommendations were before the Commission on Human Rights when, on January 27, 1947, it opened its first regular session in New York, as well as several others adopted by the General Assembly during the second part of its first session held in the Fall of 1946.

One of the recommendations of the General Assembly, originally proposed by the Egyptian delegation, and unanimously adopted on November 19, 1946, asserted that "it is in the higher interests of human rights to put an end to religious and so-called racial persecutions and discriminations," and therefore called upon the Governments "to conform both to the letter and to the spirit of the Charter of the United Nations and to take the most prompt and energetic steps to that end."

Another Assembly resolution, with a direct bearing on the problem of human rights, dealt with the treatment of Indians in South Africa. On November 21, 1946, the Indian delegation introduced a resolution stating that "the Union Government's discriminatory treatment of Asiatics in general, and Indians in particular, on grounds of their race, constitutes a denial of human rights and fundamental freedoms and is contrary to the Charter," and that this policy had "impaired friendly relations between the two member states, and unless a settlement is arrived at immediately, these relations are likely to be further impaired." Therefore, the Union Government is requested to revise its policies affecting Asiatics in South Africa, "so as to bring them into conformity with the principles and purposes of the Charter... and to report at the next session of the General Assembly the action taken by them in this behalf." This resolution was fought with great vigor by the South African delegation on the ground that the Charter did not authorize the United Nations to intervene in matters within the domestic jurisdiction of any state (except in the case of enforcement measures called for by the Security Council in relation to threats to the peace). South Africa also argued that as yet there did not exist any internationally recognized formulation of human rights and
fundamental freedoms, and that therefore whatever moral obligation they had, they had no specific obligation. It therefore proposed instead that the matter be submitted to the International Court of Justice for an interpretation of the "domestic jurisdiction" clause of the Charter.

Although the South African proposal was favored by the United States and Great Britain, it was defeated by the General Assembly which, on December 8, passed a French and Mexican proposal. This proposal, though somewhat weaker than the Indian resolution, had the same effect. It requested the Indian and South African Governments to report to the next session of the General Assembly the measures adopted to the end that "the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments, and the relevant provisions of the Charter."

Despite the fact that the main basis of the dispute between the two countries was the alleged violation by South Africa of treaty agreements with India, the adoption of this resolution was significant in that it specifically alluded to the human rights provisions of the Charter. Moreover, the emphasis in the discussions from the outset was on the violation of these provisions. In addition, the resolution obstructed the attempt to sidetrack Assembly action through bogging the matter in the International Court. Thus was established a precedent for similar resolutions in the future in relation to other states where discriminatory practices are widespread.

Although the Egyptian resolution on "discrimination" and the resolution on South Africa did not call for further action by the Economic and Social Council or the Commission on Human Rights, the General Assembly passed several other resolutions which did. Thus, it adopted a resolution, proposed jointly by Panama, India and Cuba, on "Genocide," which it defined as a crime denying "the right of existence of entire human groups . . . ," the punishment for which is "a matter of international concern." This resolution invited member states to enact necessary legislation for prevention and punishment of this crime, and recommended that "international cooperation be organized between states with a
view to facilitating the speedy prevention and punishment of the crime." It requested the Economic and Social Council to undertake the necessary studies with a view to drawing up a draft convention to be submitted to the next regular session of the Assembly.

The General Assembly also discussed a draft of the International Bill of Rights submitted to it by Panama, which it referred to the Commission on Human Rights for consideration in formulating the International Bill.

Commission on Human Rights

Thus, at its first regular session, the Commission on Human Rights had before it many matters of grave importance. It had before it the question of the contents of the International Bill of Rights. To guide it in this matter, aside from the draft of Panama, it had before it other important drafts. In addition to the substance of the Bill of Rights, it had to decide what form the Bill was to take: whether it should be a declaration of the General Assembly, a multi-lateral convention or an amendment to the Charter. This was a crucial problem, for the binding character of the Bill was dependent upon its form. As a declaration of the General Assembly, its binding character would be highly questionable. As a multi-lateral convention, its binding character would be clear, but its prospects of ratification would involve great delay. As an amendment to the Charter, it would become integrated into the fundamental law of the United Nations and could not be denounced by member nations without expulsion from membership in the organization, as might be done in the case of a convention.

In addition to the problems of the content and form of the Bill, the Commission had to suggest ways and means for its effective implementation. It had also to decide what to do with communications on the subject of human rights received either by the Commission or by the Secretariat. Finally, it had to establish and define the terms of reference of its sub-commissions.

During the session of the Commission on Human Rights,
held January 27 to February 10, 1947, many views were expressed concerning the contents of the Bill. These views reflected in large measure the difference in basic philosophy between the nations in the Soviet sphere and those in the "western" sphere. For, while the former placed their main emphasis on economic rights and on the obligation of the individual to the community, the latter stressed political liberty and the primacy of the individual as against the state.

However, the Commission finally recognized that it was not in a position to formulate the precise contents of the Bill of Rights and delegated the task to a special temporary sub-commission which it instructed to be guided by the views expressed during the session. This sub-commission was also to explore the problem of enforcement and to examine in particular the Australian proposal for the establishment of an International Court of Human Rights. (The Australian delegate had proposed that such a court be established to determine disputes concerning the rights provided for in the Bill. This court was to be open to any person or groups of persons, and all states accepting the Bill would be bound to comply with its judgment.) It was, however, the consensus of almost all members of the Commission, with the exception of India and Australia, that it was premature to think seriously of enforcement. Thus, the United States proposal that the Bill be adopted in the form of a declaration of the General Assembly was accepted with little dissension by the Commission.


The functions of the former were to be the examination of "what rights, obligations and practices should be included in the concept of freedom of information . . . ," and the performance of "any other functions which may be entrusted to it by the Economic and Social Council or by the Commission on Human Rights." It was also to prepare a draft agenda for the forthcoming International Conference on Freedom of Press and Information. (The Economic and Social Council
The second permanent sub-commission was "to examine what provisions should be adopted in the definition of the principles which are to be applied in the fields of prevention of discrimination on the grounds of race, sex, language or religion and the protection of minorities, and to make recommendations to the Commission on urgent problems in these fields." It was "to perform any other functions which may be entrusted to it by the Economic and Social Council or the Commission."

The Commission also agreed on a procedure for handling communications addressed to it. This was an exceedingly complex problem. For the United Nations had already received more than 1,000 human rights petitions from aggrieved private citizens, agencies and minority groups. Basic considerations were involved regarding the authority of the United Nations, freedom of the press and the danger of "reprisals" to petitioners if their identities became known. The Commission decided to instruct the Secretary General to compile an annotated confidential list of communications for distribution to members. Any item in the list would be made available to members on request. Prior to each session, the chairman or vice-chairman of the Commission would meet with one or two of the members to review the communications and to bring to the attention of the Commission any which might assist it in its work.

The Commission on Human Rights reported its views and recommendations to the fourth session of the Economic and Social Council, which met from February 28 to March 29, 1947. With a few modifications, the Council endorsed most of the recommendations of the Commission. It decided to enlarge the membership of the sub-commission assigned to prepare the preliminary draft of the Bill from three to eight, and designated as members the representatives of the governments of Australia, Chile, China, France, Lebanon, U. S. S. R., U. K., and U. S. A. The resulting draft was to be submitted to the Commission on Human Rights at its next session, after which it would be reviewed by all members of the United
Nations. Following this step, it would be returned to the Commission for review. Finally, the Economic and Social Council would examine it with a view to recommending an International Bill of Rights for submission to the General Assembly in 1948.

In addition, it instructed the Secretary General to submit to its next session, after consultation with the General Assembly Committee on the Development and Codification of International Law, and after reference to member governments for comment, a draft convention on the crime of Genocide.

It deferred until its next session consideration of the part of the report of the Commission on Human Rights dealing with the handling of communications concerning human rights.

At the time of writing, the nature of the role to be played in matters of human rights by the United Nations during the foreseeable future was taking shape. The crux of the entire problem was the principle of state sovereignty. This principle had emerged almost unqualified from San Francisco and its supremacy was evident at every U. N. meeting where the problem of human rights was raised. The United Nations was manifestly to be only a clearing house for the airing of grievances and a stage whereon the glare of world moral opinion might light up threats to or violations of human rights and fundamental freedoms. Enforcement was to remain in the background until the achievement of a much greater measure of trust, and of agreement on basic social values, among the nations of the world.

But even with the decision to postpone enforcement to an indefinite future, there was significance in the fact that the United Nations had during the first two years of its existence focused so much attention on the problem of human and fundamental freedoms.
THE INITIAL TRIAL OF NAZI leaders at Nuremberg, which commenced on October 18, 1945, with the indictment of twenty-four top figures in the Nazi hierarchy and seven Nazi organizations, lasted just under a year. Of the original defendants, three never came to trial in person. Robert Ley committed suicide before the trial began; Alfred Krupp was dropped from the list of defendants because he was too senile to stand trial; and Martin Bormann, although tried in absentia and sentenced to death, was generally believed to have died in the last days of the fighting in Berlin. Of the twenty-one individual defendants actually brought to trial, eleven were sentenced to death, seven to varying terms of imprisonment, and three were acquitted. Of the seven organizations indicted, four were convicted and three acquitted.

The evidence presented against the various defendants by the prosecution varied in nature according to their positions. In the case of SS, Gestapo, and occupation officials, it was not difficult to establish a direct responsibility for various types of terror and crimes against humanity. Similarly, the guilt of Hermann Goering, as the second figure in the Nazi hierarchy, was easy enough to demonstrate, since so large a part of the criminality of the Nazi regime was a matter of deliberate general policy. In some cases, however, the connection was less direct, and was established only by presenting proof that the defendants had participated in particular decisions.

Superior Orders as Defense

The defenses offered were, for the most part, based on the doctrine of superior orders. With the exception of Goering, none of the defendants accepted full responsibility for those
acts of the Nazi regime in which he had participated. Goering, however, not only admitted his responsibility; he proclaimed it. He used the witness-stand as a rostrum from which to defend Nazism before the world, and neither apologized for his crimes, denied them, or attempted to shift the responsibility for them. (He did, however, deny direct personal responsibility for any murders.) At the other extreme Schacht and Von Papen claimed that they had always been opposed to the policies of the Nazi regime, had joined it only in the hope of exerting a moderating influence, and had suffered for their opposition to its excesses. The former Governor-General of Poland, Hans Frank, both admitted and condemned his acts, but assigned the responsibility for them to Hitler. He declared: "Hitler's road was the way without God, the way of refusing to believe in Christ and, in its final point, the way of political foolishness, the way of disaster and the way of death." Baldur von Schirach, leader of the Hitler Youth and Gauleiter of Austria, denied that he was guilty of the specific crimes against humanity with which he was charged. But he did admit his political guilt, particularly insofar as anti-Semitism was concerned. He declared: "It is my guilt that I educated the German youth for a man who committed murder a million-fold. I believed in that man. That is all I can say as an explanation of my attitude. That guilt is mine alone. The young generation is without guilt. It grew up in an anti-Semitic state. It saw nothing wrong in this policy. But if on the basis of anti-Semitism Auschwitz is possible then Auschwitz must become the end of racial politics . . . . He who maintains racial politics after Auschwitz is guilty." He characterized Hitler's policies as "a crime that led to disaster for five million Jews and all Germans."

Ribbentrop's Defense

Several of the defendants sought to mitigate their guilt by citing the complicity in or approval of the crimes of Hitlerism by Allied nations or their citizens, or by showing that Allied governments had followed similar policies. Thus Ribbentrop succeeded, over the strenuous objection of the Soviet prose-
In introducing evidence in regard to the secret agreement for the partition of eastern Europe which accompanied the Hitler-Stalin Pact, and in his final plea he declared: “When I went to Marshal Stalin in Moscow in 1939 he did not discuss with me the possibility of a peaceful settlement of the German-Polish conflict on the basis of the Kellogg-Briand Pact. Rather he let me see that if, in addition to half of Poland and the Baltic countries and Lithuania, he did not receive the harbor of Lithuania, I might as well return.” Schacht justified his part in the assimilation of the Sudetenland’s economy to that of Germany on the ground that the Western Powers had handed that territory to Hitler “on a silver platter.” Admiral Doenitz claimed that the same methods of unrestricted submarine warfare with which he was charged had been used by the United States Navy. Admiral Raeder defended his adherence to the Nazi regime by quoting from Winston Churchill’s “Great Contemporaries,” published in 1937, statements which indicated that Churchill had at that time not yet made up his mind whether Hitler’s historical role was good or bad. (On the other hand, the attorney for the SS was not allowed to introduce into the record alleged pro-Nazi statements by William Randolph Hearst.) Baldur von Schirach claimed that he had been converted to anti-Semitism by the writings of Henry Ford. Goering declared that if the archives of other countries were opened, they could be made the basis of charges of plotting aggressive warfare similar to those leveled against him, and he defended the Nazi violations of the laws of war by declaring: “If today the Geneva Convention so far as the Germans are concerned does not have any validity any longer, if today in all parts of Germany industry is being dismantled and other great assets of all spheres can be brought to other states ... then measures like that taken by Germany in the countries above mentioned [France, the Netherlands, Belgium, Norway, Yugoslavia, and Greece] cannot have been criminal on the part of Germany.” In its verdicts, the court did not feel it necessary to deal with these points, since they obviously had no direct bearing on the guilt of the defendants from a legal standpoint.

In its decision and its sentences, the Nuremberg Tribunal
sought to act strictly within the terms of its charter and of the evidence before it. This meant that it could not consider any aspects of the guilt of the defendants other than those covered by the four counts of the indictment. These were:

Count 1: Conspiracy to commit acts named in the other three counts;

Count 2: Crimes against the peace, namely, planning, preparing, initiating, or waging aggressive war;

Count 3: War crimes, namely, violations of the laws or customs of war;

Count 4: Crimes against humanity, namely, murder, extermination, enslavement, deportation or other inhumane acts against any civilian population, before or during the war; or persecutions, political, racial, or religious.

This limitation raised no serious problem in the case of Goering, whom the Tribunal easily found guilty on all four counts and condemned to death. Of him, the court declared: "From the moment he joined the party in 1922 and took command of the street fighting organization, the SA, Goering was the adviser, the active agent of Hitler and one of the prime leaders of the Nazi movement. As Hitler's political deputy he was largely instrumental in bringing the National Socialists to power in 1933 and was charged with consolidating this power and expanding German armed might. He developed the Gestapo and created the first concentration camps . . . . In 1936 he became plenipotentiary for the Four-Year Plan, and in theory and practice was the economic dictator of the Reich . . . . In the Austrian Anschluss he was indeed, the central figure, the ringleader . . . . Even if he opposed Hitler's plans against Norway and the Soviet Union, as he alleged, it is clear that he did so only for strategic reasons . . . . After his own admissions to this Tribunal, from the positions which he held, the conferences he attended and the public words he uttered, there can remain no doubt that Goering was the moving force for aggressive war second only to Hitler."
Goering’s Guilt

The court went on to discuss Goering’s guilt in connection with war crimes and crimes against humanity, declaring: “The record is filled with Goering’s admission of his complicity in the use of slave labor . . . As Plenipotentiary Goering was the active authority in the spoliation of conquered territory . . . Goering persecuted the Jews, particularly after the November 1938 riots, and not only in Germany, where he raised the billion-mark fine, as stated elsewhere, but in the conquered territories as well. His own utterances then and in his testimony show this interest was primarily economic—how to get their property and how to force them out of the economic life of Europe. As these countries fell before the German army, he extended the Reich’s anti-Jewish laws to them; the Reichsgesetzblatt for 1939, 1940 and 1941 contains several anti-Jewish decrees signed by Goering. Although their extermination was in Himmler’s hands, Goering was far from disinterested or inactive, despite his protestations in the witness box. By decree of July 31, 1941, he directed Himmler and Heydrich to bring about ‘a complete solution of the Jewish question in the German sphere of influence in Europe.’ ”

Hence the court concluded that “Goering was often, indeed almost always, the moving force, second only to his leader. He was the leading war aggressor; both as political and as military leader, he was the director of the slave labor program and the creator of the oppressive program against the Jews and other races at home and abroad. All of these crimes he has frankly admitted. On some specific cases there may be conflict of testimony but in terms of the broad outline, his own admissions are more than sufficiently wide to be conclusive of guilt. His guilt is unique in its enormity. The record discloses no excuses for this man.”

Death Penalties and Life Sentences

The Tribunal also decreed the death penalty for Foreign Minister Joachim von Ribbentrop; Dr. Alfred Rosenberg,
philosopher of Nazism and Minister for the occupied Eastern territories; SS Obergruppenfuehrer Ernst Kaltenbrunner, Chief of the Security Police and SD; Generals Wilhelm Keitel and Alfred Jodl; Minister of the Interior Wilhelm Frick; Hans Frank, Governor-General of Poland; Julius Streicher, Nazi Jew-baiter No. 1; Fritz Sauckel, organizer of the system of slave labor; Arthur Seyss-Inquart, betrayer of Austria and Reichs-Commissioner for the Occupied Netherlands; and, in absentia, Martin Bormann. All of these had been convicted of crimes against humanity, all except Streicher of war crimes as well. Ribbentrop, Keitel, Rosenberg, and Jodl had also been convicted on the first two counts; Frick and Seyss-Inquart on the second.

Of Ribbentrop, the court said: "He played an important part in Hitler's 'final solution' of the Jewish question. In September, 1942, he ordered the German diplomatic representatives accredited to various satellites to hasten the deportation of Jews to the East. On February 25, 1943, Ribbentrop protested to Mussolini against Italian slowness in deporting Jews from the Italian occupation zone of France. On April 17, 1943, he took part in a conference between Hitler and Horthy on the deportation of Jews from Hungary and informed Horthy that the 'Jews must either be exterminated or taken to concentration camps.' At the same conference Hitler had likened the Jews to 'tuberculosis bacilli' and said if they did not work they were to be shot . . . . It was because Hitler's policy and plans coincided with his own ideas that Ribbentrop served him so willingly to the end."

Rosenberg, the tribunal declared, "helped to formulate the policies of Germanization, exploitation, forced labor, extermination of Jews and opponents of Nazi rule, and he set up the administration which carried them out, . . . . His directives provided for the segregation of Jews. Ultimately, in ghettos his subordinates engaged in mass killings of Jews and his civil administrators in the East considered that cleansing the Eastern occupied territories of Jews was necessary. In December 1941 he made the suggestion to Hitler that in a case of shooting 100 hostages, Jews only be used."

"During the period in which Kaltenbrunner was head of
the RSHA (Reich Security Head Office)”, the court said, “it was engaged in a widespread program of war crimes and crimes against humanity . . . . Jews, commissars and others who were thought to be ideologically hostile to the Nazi system were reported to the RSHA, which had them transferred to a concentration camp and murdered . . . . The RSHA played a leading part in the final solution of the Jewish question by the extermination of the Jews . . . . Under its direction approximately 6,000,000 Jews were murdered, of which 2,000,000 were killed by the Einsatzgruppen and other units of the Security Police . . . . The murder of approximately 4,000,000 Jews in concentration camps has heretofore been described. This part of the program was also under the supervision of the RSHA when Kaltenbrunner was head of that organization, and special missions of the RSHA scoured the occupied territories and various satellites, arranging for the transportation of Jews to these extermination institutions. Kaltenbrunner was informed of these activities.” Atrocities against Jews also were charged to the other defendants who received the death sentence. In the case of Julius Streicher, such atrocities formed the principal basis of condemnation.

Life sentences were meted out to Rudolf Hess, who—somewhat surprisingly, in view of his high position in the Nazi party—was found innocent of war crimes and crimes against humanity; Walther Funk, President of the Reichsbank, who was convicted on all counts except the first; and Grand Admiral Erich Raeder, who was acquitted of crimes against humanity but convicted on the other three counts. Baldur von Schirach, convicted only of crimes against humanity, was sentenced to 20 years’ imprisonment, as was Dr. Albert Speer, convicted of war crimes and crimes against humanity but acquitted on the first two counts. Baron Constantin von Neurath, a member of Hitler’s government from 1933 on but generally regarded as one of the “conservatives” who attempted to restrain the “excesses” of Nazism, was convicted on all four counts but sentenced to only 15 years’ imprisonment. Grand Admiral Karl Doenitz, convicted on counts 2 and 3, was sentenced to 10 years.
Lesser Sentences

Perhaps the most controversial of the tribunal’s decisions was its acquittal of Hans Fritzsche, Franz von Papen, and Dr. Hjalmar Horace Greeley Schacht. Fritzsche, a radio commentator, was a relatively unimportant figure. But Papen and Schacht had been among the principal architects of Hitler’s Reich. Neither had been indicted for war crimes or crimes against humanity, although both had played prominent roles in the regime at a time when it was notoriously engaged in the latter. Describing Papen’s part in the annexation of Austria, the court declared: “He engaged in both intrigue and bullying, but the charter does not make criminal such offenses against political morality, however bad they may be.” Discussing Schacht’s leading part in Hitler’s rearmament program, it said: “Rearmament in itself is not criminal under the charter. To be a crime against peace under Article 60 of the charter, it must be shown that Schacht carried out this rearmament as part of the Nazi plan to wage aggressive war.... The Tribunal.... comes to the conclusion that this necessary inference has not been established beyond a reasonable doubt.”

Reactions to the Verdict

The verdict of the Tribunal provoked widely varying reactions. On the one hand, it evoked praise because it had established and set down for posterity the full record of the Nazi crimes and because, by its distinction among the defendants, it showed a genuinely judicial character. Thus, Hanson Baldwin wrote in The New York Times: “The conduct of the Nuremberg trials, acquittal of three defendants and partial acquittal of others and refusal of the International Military Tribunal to indict the German General Staff and some German organizations as criminal have greatly increased the prestige of Anglo-American and Allied justice. Here, clearly, was no mock trial, no foregone verdict; the justice was military and severe, but it was justice.... Nuremberg was in particularly refreshing contrast to the trial of Lieutenant General
Tomoyuki Yamashita.” And the deputy American intelligence chief in Europe expressed the sentiments of most American Army officers when he hailed the refusal of the Tribunal to declare the German General Staff a criminal organization, declaring: “It is very encouraging to any staff officer that the court has not set a precedent under which he might some day be prosecuted just for doing his job in helping plan the military defense of his country. This phase of the trial affects all members of the military profession in all countries who might be on the losing side some time and be prosecuted for it.” (The other Nazi bodies declared not criminal per se were the SA and the Reich Cabinet, while the Gestapo, SS, SD, and Nazi Leadership Corps were convicted.)

But these very aspects of the Tribunal’s verdict also provoked widespread criticism. Thus, Harold Ickes wrote: “Quite aside from questions of policy and procedure, I am at a loss to understand the result of the Nuremberg trials except on the theory, which I would deplore, that the court wanted to give an impression of judiciousness and so varied the sentences for the same or equivalent crimes. To me the most shocking result of Nuremberg was not the sentence of ‘hanging’ against Hermann Goering and others but the acquittal of Hjalmar Schacht.” And the New York Post, after ridiculing the acquittal of Schacht and von Papen, added: “If Keitel and Jodl were guilty, then so is the German General Staff . . . . The verdict exonerating that body may cause uniformed men in Washington and London to breathe more easily; it is no solace to the millions of Europeans who suffered the criminality of Germany’s organized war-planners and makers. How the German Cabinet can be exonerated while its members go to the gallows or to jail remains another mystery.” (Not all the members of the German Cabinet were defendants in the first Nuremberg trial; among the trials scheduled to take place subsequently were those of other Cabinet members, who were to be judged on their individual guilt.)

On the other hand, criticism of the trial persisted on the grounds (voiced by Senator Robert Taft, among others) that it was a trial of the vanquished by the victors, and that the charge of aggressive warfare represented ex post facto legis-
lation. Indeed, the court itself appears to have been somewhat hesitant in regard to the latter question (it must be remembered that this charge was included originally only at the insistence of Justice Jackson and against the wishes of the other three powers), since it imposed no death sentence on any person not adjudged guilty of crimes against humanity—that is, acts criminal according to the laws of all civilized nations and the common conscience of mankind. As we have seen, atrocities against Jews figured importantly in this category of crimes.

In Germany itself, the impression made by the trial seems to have been rather less than had been hoped; the impression made by the verdict was, however, considerable if not altogether fortunate. Public opinion studies made by Military Government, as well as the observations of press representatives, indicated that more than three-quarters of the German people felt that the sentences had been too lenient, while less than two per cent thought them too severe. The acquittal of Schacht and von Papen, in particular, aroused widespread indignation. This was not decreased by the action of American authorities in protecting them, at first, against the efforts of Prime Minister Wilhelm Hoegner of Bavaria to arrest them for trial under the German denazification law. Nor were Germans favorably impressed when, after Schacht’s acquittal, almost the entire Allied press corps lined up to exchange chocolate and cigarettes for his autograph. But Fritzsche, Schacht and von Papen were not to escape punishment altogether. After their release by the Tribunal, the American military authorities eventually agreed to permit the Germans to bring them to trial, and they were sentenced to prison terms for their part in the Nazi regime.

Other War Crimes Trials

The Nuremberg trials of top Nazi leaders, while by far the most spectacular of the trials of war criminals, were by no means the only ones. As of December 1, 1946, the United Nations War Crimes Commission announced that 24,365 persons had been tried for war crimes by Great Britain, the
United States, France, Greece, Norway, Czechoslovakia, and Poland. Of these, 1,432 were sentenced to death, 16,413 to prison, and 6,520 acquitted. In addition, there were numerous trials and executions in Russia and Russian-occupied territory, as well as many thousands of trials under the German denazification laws. These trials have continued subsequently, and may be expected to continue for some time to come. Among those executed as a result of trials other than those at Nuremberg are Ion Antonescu, the former dictator of Rumania; Arthur Greiser, former Gauleiter of Danzig and Posen (whom Poland executed despite a Papal plea for mercy); Kurt Daluege and Karl Hermann Frank, former Protectors of Bohemia-Moravia, and numerous SS generals and other top administrators convicted of crimes in occupied countries. Trials of officials and guards of the various concentration camps were also conducted by the various powers within whose jurisdiction they fell, and resulted in numerous sentences of death and imprisonment.

The Nuremberg Tribunal itself began, after disposing of the top Nazis in the first trial, to try Nazi military and civilian leaders who had not been included in the first trial. First of the Nazi military leaders to be brought to trial in these proceedings was Field Marshal Erhard von Milch, Commander of the Luftwaffe and member of the Nazi War Cabinet. Milch, an "honorary Aryan," was convicted of war crimes and sentenced to life imprisonment. Prosecutions were also initiated against officials of the Nazi Ministries of Justice and Foreign Affairs. Perhaps the greatest potential significance, however, is attached to the prosecution begun against a number of leading industrialists, including the steel magnate Friedrich Flick and a number of the officials of IG Farben. Convictions in these cases might perhaps serve to counteract the impression, produced on many Germans by the acquittal of Schacht and von Papen, that the Western powers were interested in prosecuting only the Nazi political leaders and not their more respectable backers.